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ARCHIVES OF MARYLAND

LI

PROCEEDINGS

OF THE

COURT OF CHANCERY OF MARYLAND

1669-1679

COURT SERIES

(5)

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
MARYLAND HISTORICAL SOCIETY

J. HALL PLEASANTS

Editor



BALTIMORE

MARYLAND HISTORICAL SOCIETY

1934

Lat.
gF176
AG73
V.51
cop.1



The Lord Baltimore Press
BALTIMORE, MD., U. S. A.

THE
BALTIMORE
PRESS

ARCHIVES OF MARYLAND.

The following volumes have been published (under the editorship of William Hand Browne volumes I to XVII and XIX to XXXII; Clayton Coleman Hall volumes XXXIII to XXXV; Bernard Christian Steiner volume XVIII and volumes XXXVI to XLV; and J. Hall Pleasants volumes XLVI to LI):

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LETTER OF TRANSMITTAL.

September 1, 1934.

To The Maryland Historical Society,

GENTLEMEN :

In this the fifty-first volume of the *Archives of Maryland* your Committee on Publications has the honor to present the Proceedings of the Court of Chancery of Maryland from 1669 to 1679 inclusive. This is to be considered the fifth volume of the sub-series dealing with the records of the early courts of the Province. Of this court sub-series four volumes of the Proceedings of the Provincial Court have already appeared.

The seventeenth century courts of Maryland, to begin with the highest, were (1) the appellate court of the Governor and Council sitting as the Upper House down through the year 1694, and after this date sitting separately under the name of the Court of Appeals, (2) the Provincial Court or general law court of the Province, (3) the Court of Chancery for hearing equity cases, (4) the several county courts, and (5) the manorial or leet courts which functioned on the larger manors. A brief general sketch by the editor of the development of these courts will be found in the introduction to Volume L of the *Archives of Maryland*.

Since the publication of the last Provincial Court Proceedings as Volume L of the *Archives*, there was published in 1933, as the first volume of *American Legal Records* of the American Historical Association, the *Proceedings of the Maryland Court of Appeals, 1695-1729*, edited by Judge Carroll T. Bond, Chief Judge of the Maryland Court of Appeals. This is a study of the records of the Court of Appeals for the thirty-five years after the Governor and Council began to meet separately in 1695 to hear cases on appeal and to keep separate records. The cases heard on appeal by the Governor and Council before 1695 are to be found scattered among the records of the Upper House, and have already been printed in the several volumes of the *Archives of Maryland* known as the Assembly Proceedings. As a rule the records of these cases heard on appeal before the Governor and Council sitting as the Upper House are reported more briefly than are the cases recorded after 1694 in the Proceedings of the Court of Appeals.

The publication of Judge Bond's book has focused the attention of students of early American law and history upon the judicial system of Maryland. It

has therefore seemed an opportune time to round out the seventeenth century judicial picture by the publication of a volume of the records of the equity court, and to follow this by printing the earliest proceedings which have been preserved of certain of the county courts. With this aim in view, the mid-seventeenth century court records of Kent, Charles, Talbot and Somerset counties are now being prepared for publication. As the only extant record of a Maryland manorial court, that of the Court Leet and Court Baron of St. Clement's Manor, St. Mary's County, is already in print (*J. H. U. Studies in Hist. & Pol. Sc.* ser. i, no. 7), the student of the early development of American law will soon have before him in printed form a complete cross section of the entire judicial system of the Province of Maryland—and one which is perhaps more complete for the period than that possessed by any other colony.

A history of the Maryland Court of Chancery for the first century of its existence, by the editor, appears elsewhere in this volume. Down through the year 1668, the proceedings of the Court of Chancery and of the Provincial Court were recorded together in the same old libers, for the judges of both Courts, the Governor and Council, at the same court sessions sat in Chancery to hear equity cases, and in the Provincial Court as a court of law, and both courts had the same clerk. Beginning in 1669, however, separate records for each Court were kept, and although until 1694, the same individual acted as clerk and recorder for both courts, in the Court of Chancery he was called "Register in Chancery", and in the Provincial Court was styled "Clerk".

The material to be found in this volume is taken from two old Chancery libers. One of these, known as Liber C. D., was transcribed in 1729 by Griffith Beddoe, from an older liber then designated by the same initials, which was at that time in a very defective condition, the transcriber certifying that the blanks to be found in his copy were for words defaced or not legible in the original. The copy is in a clear hand and is well transcribed, but like the original from which it was transcribed, has suffered severely from the ravages of time, and most of the omissions in this printed volume are due to the disintegration of the copy of 1729. As no Chancellor, Recorder, or Clerk in Chancery with the initials C. D. is known, the designation is puzzling. There is some reason to think, however, that it originally bore different initials. This liber is divided into two parts. The first part, designated by the clerk as "The Reg^r Book in the Chan^{ce} * * * of Maryland Beginning 16th ffeb^r [1668/69] 37^o Cæcilii &^{ce}," and which extends through the year 1684, was evidently begun by Robert Carville, then Register in Chancery. This portion of the old liber fills the first three hundred and ninety-nine folio pages, and is followed towards the end of the book by a second section, designated as "An Entry of All Such Writts as Issued Out of the Chancery Since the 13th of February

1668[/69] ". This second part runs to April 13, 1672, and fills pages 399 to 446 of the old liber, thus overlapping in point of time the period covered by the earlier portion of the first part. It is unfortunate that the entire contents of Liber C. D. cannot be printed in this volume, but for lack of space, it has been found necessary to omit that portion of part one for the years 1680 to 1684, which fills pages 261 to 399 of the old liber. The copy of Liber C. D. made in 1729, has marginal references to the pagination of the original liber from which the copy was made, and the transcriber has also adopted a new running pagination for his own copy. In this printed volume both paginations are given, the original folio numbers, printed in parentheses, are indicated by the abbreviation " fol.", followed by the old folio page number; and the pages of the copy of 1729 by the abbreviation " p." followed by the copyist's page number, without parentheses.

The other old liber from which this volume is in part taken is known as Chancery Liber P. C., and is a volume of 884 pages of which only the first 171 pages are printed here. The designating initials are of course those of Philip Calvert, Chancellor from 1661 to 1682. Although begun in 1671 when Philip Calvert was Chancellor and Robert Ridgely, Register, this liber runs down to the year 1712, with a break of about six years in the late eighties, and after 1682 covers the incumbancy of several later chancellors. We are concerned here, however, only with the records in it extending from 1671 to 1679. The handwriting found in Liber P. C., varies with the several registers, or clerks, who have made the entries. Some of this writing, a mixture of late eighteenth century and old court hand, is very difficult to decipher.

It will be seen that libers C. D. and P. C. overlap in time for the period from 1671 to 1684. A study of the contents of these two old volumes fails to disclose clearly what system, if any, was used by the registers in selecting the entries recorded in each, except that it may be said in general that Liber P. C. was used principally as a record of court sessions and of the judicial activities of the Court of Chancery, as well as for recording cases and decrees, while Liber C. D., after 1671, was used principally to record writs, appointments to office, commissions, inquisitions, pardons, proclamations and similar instruments, not strictly judicial, issued under the Great Seal, of which the Chancellor was the Keeper, although a few of the earlier court sessions and cases are recorded in Liber C. D.

The Chancery in Maryland as in England had two aspects, the " ordinary " functions of the Chancellor as Keeper of the Great Seal for the sealing of various legal and extra-legal papers, and the Court of Chancery in its strictly judicial aspect. Although for nearly a century after the settlement the Court was a body composed of a Chief Judge in Equity with associate judges, of

which the Chancellor was one, it was not until 1720 that it became in form a one-man court with the Chancellor as sole judge. The editor feels that the story of the development of the Court of Chancery of Maryland has never been adequately told, so elsewhere in this volume, under the title "The First Century of the Chancery Court of Maryland", he presents in considerable detail the history of the first hundred years of its existence, together with a list of all the chancellors from its beginning, until the Court ended its existence in 1854.

To the student of early American history the contents of this volume are perhaps of less human interest than are the records of the Provincial Court, or general law court of the Province, where we find reflected more vividly the every day life of the people in their relation to each other and to the Proprietary Government, and where both civil and criminal cases are found recorded. To the student of equity as it evolved during the seventeenth century in an American commonwealth from its English beginnings, and to those who are interested in the uses which this commonwealth made of writs in their varying forms, as the community adapted them to its needs and discarded those that ceased to be useful, the contents of this volume will be of no little interest. Nor is it fair to say that all the entries are without human interest. Most of the cases recorded seem to have originated in the Court of Chancery, although a few, which had their beginnings in the Provincial Court, were brought into Chancery on technical grounds rather than by direct appeal. The editor, who is not a lawyer, has not undertaken an explanation of the writs and proceedings recorded, but this has been contributed by Chief Judge Bond, who, as previously stated, has been making a study of seventeenth century Maryland judicial records. His explanation is designed for the general reader.

As Judge Bond has pointed out in his *Proceedings of the Maryland Court of Appeals*, the Province was fortunate in that it had among the members of its seventeenth and eighteenth century bench and bar a number of competent lawyers who had received their training at the Inns of Court of London, although in the decade covered by this volume but two names occur of men who are known to have had this training. During our period the Chief Judge in Equity from 1669 to 1676 was Gov. Charles Calvert, who, after his father's death in 1675, became third Lord Baltimore and Lord Proprietary, although during his absence in 1676, 1677 and 1678, Thomas Notley was Governor and Chief Judge in Equity. It does not appear that either of these had an English legal training; nor is it likely that the Chancellor, Philip Calvert, had received such a training in England; and the same may be said of the other associate justices of the Court of Chancery who served during our decade. As the same judges or justices who sat in the Chancery Court also sat in the Provincial

Court, and as they were the same men who composed the Council and the Upper House of the Assembly, sessions of the Court of Chancery and of the Provincial Court (and even of the Council), were frequently joint sessions, the clerk's entries then reading thus: "At a Court held for the Chancery and Provincial Court". Separate sessions, however, if the amount of business to be transacted was large, were often held for each court. As stated previously beginning in 1669 separate record books were kept for the Chancery and the Provincial Court, although until 1694 the same individual served as Register or Clerk for both. During the period covered by this volume the registers in Chancery were Robert Carville (1669-1670), Thomas Cabewood (1670-1671), Robert Ridgely (1671-1674), John Bloomfield (1674-1678), and Nicholas Painter (1678-1682).

All the members of the Court of Chancery during our decade held other prominent offices, and, with few exceptions, were extensive land planters with much common sense and a varying amount of legal training to guide them. The records of the period show that when difficult legal questions came up they often sought the advice of the lawyers practicing before the courts, and of the Proprietary's Attorney General and Solicitor General. Lack of space does not permit much more than a mere recital of the names of the various councillors who at this period sat on the two courts as associate justices. The Council was a small body and we rarely find more than five or six judges sitting at any one session of the Chancery Court. When this volume opens in 1669, the members of the Court were Gov. Charles Calvert, Chief Judge in Equity, Philip Calvert, Chancellor, with three members of the Council sitting as associate justices, whose years of service are given following their names. These were, Jerome White (1664-1670), Baker Brooke (1658-1679), and Thomas Truman (1665-1676). In December 1669, William Calvert (1669-1682), a nephew of Cecilius, the Lord Proprietary, and a practicing attorney, was sworn in as a member of the court, and Samuel Chew (1669-1677), a prominent planter of Anne Arundel County, was sworn in as a justice. In December 1670, Sir William Talbot, Baronet (1670-1671), the Provincial Secretary and a relative of the Proprietary, and Edward Fitzherbert (1670-1671), were added to the Council and became members of the court. Talbot and White both disappeared from the court early in 1671. Jesse Wharton, at one time President of the Council, became a member of the court in December 1672, and served until May 1677; Henry Coursey, who was on the Council as early as 1660, remained with some apparent short breaks until 1688. Henry Rozer first appears as a justice of the court in October 1667 and served until 1681; he had been admitted an attorney, October 16, 1666 (Prov. Ct. Proc., FF, 340). Thomas Taylor was a justice of the court from 1673 to 1678.

Charles Calvert, the Lord Proprietary, left the Province for England in 1676. Thomas Notley then acted as Governor and presided as Chief Judge in Equity in the Court of Chancery. When Notley was not present in the court, as was frequent in 1678, Philip Calvert presided, but is always designated as Chancellor and not as Chief Judge in Equity. The Proprietary returned to Maryland in January, 1678/9, but retained Notley as Governor until the latter died in 1681. The Council was almost entirely changed by deaths in 1679, and when this volume closes, William Calvert, Vincent Lowe, Henry Darnall and William Stevens appear as the associate justices at the last session of that year.

The Court of Chancery nearly always met at St. Mary's City. Of the forty-four sessions held from 1669 to 1679, the court met elsewhere on only two occasions, as on March 6, 1670/1, at Mattapany, and on June 26, 1673, in special session in Charles County.

Of the lawyers practicing before the higher courts of the Province during our decade, Gov. Charles Calvert is authority for the statement that John Morecroft was the recognized leader in 1672 (*The Calvert Papers; Number One, Md. Hist. Soc. Fund Public. No. 28*, p. 264). His name frequently occurs in these records as the attorney in important cases. Nothing has been learned of his antecedents in England before he came to Maryland. He was sworn in as an attorney in 1666. After his death in 1673, it cannot be said with certainty upon whom his mantle fell, although perhaps Notley represented the most important litigants. Three former clerks, or registers in Chancery, appear with great frequency as attorneys before both the Chancery Court and the Provincial Court, and it is likely that such legal training as they had was largely gained in this very practical school during their service as clerk. These attorneys were Daniel Jenifer, Robert Carvile and Robert Ridgely. Other names which occur frequently of those handling important cases are William Calvert, Kenelm Cheseldyne, Thomas Notley, George Parker, Nehemiah Blakiston, Christopher Rousby, and John Rousby. The names of two attorneys before the courts at this time who had received an English legal training, but who seem to have had few cases during our period, were Thomas Bland, who declared that he had studied law at the Inner Temple for six years (*Prov. Ct. Proc. Liber I. L.*, 397), and Matthew Ward of Cecil County, who was almost certainly identical with the individual of the same name, son of Francis Ward, gentleman, of South Walsham, Norfolk, who was admitted to Gray's Inn, April 30, 1657 (*Gray's Inn Register*, 282). The names of other attorneys before the Maryland courts at this time were Charles Boteler, Thomas Carleton, Henry Cox, Thomas Dent, Henry Johnson, John Jones, and Peter Sayer. A "Mr. Bisse" who was admitted to practice in the Chancery Court in June 1669, but who is not mentioned again, may have been Thomas Bisse, who took

up 1300 acres of land in Talbot County in 1663. The registers in Chancery for the years 1671 to 1679 adopted the plan of noting frequently on the folio page margin the initials of the attorneys in a given case. These can usually be readily identified, but in a few instances this has not been possible. As in the case of all marginal notes occurring in these old libers, in printing these have been brought within the printed page margin, but to indicate their marginal position are separated by a considerable space from the text proper which follows. While in the early records it is not always possible to distinguish between the regular practicing attorneys before the court and individuals who as attorneys-in-fact merely represented others occasionally under a power of attorney, there is little question that the men just mentioned should all be considered as practicing attorneys-at-law.

These Chancery records contain fewer references to the Attorney General of the Province than do the proceedings of the Provincial Court. A petition for a pardon shows that William Calvert held this office in 1664 and 1665 (pages 122, 123, 127), and he was probably immediately succeeded by Vincent Lowe, who was sworn in, December 13, 1670, as Attorney General, and on December 17, as an attorney before the courts (Prov. Ct. Proc. 1670). He was followed by Kenelm Cheseldyne, who was sworn, April 5, 1676 (Prov. Ct. Proc. N. N. 89), and appears to have still held this office at the close of our period.

Recorded in this volume, although in no way connected with the Chancery Court, are to be found the proceedings of a special Court of Delegates held in 1678 by four judges who were also members of the Council and of the Chancery Court, especially designated for this purpose. These were Baker Brooke, Thomas Tayler, Henry Coursey, and Benjamin Rozer, with Charles Boteler as Register, appointed by Gov. Notley to hear an appeal upon a will case which had been decided by Philip Calvert, the Chancellor, sitting as Chief Judge of Probate in the Prerogative Court. Calvert had decided that a nuncupative will made by a certain John Deery was null and void, but on appeal the specially appointed Court of Delegates reversed Calvert and sustained the will (pages 507-520). The Governor in his order creating the Court, directed that the proceedings be kept among the records of the Chancery Court.

Among the papers recorded as issued under the Great Seal of the Chancellor in his "ordinary" capacity as its Keeper, and not of a strictly judicial character, are appointments to office and commissions to county justices, sheriffs, and coroners by the Lord Proprietary, writs providing for the election of delegates to the Lower House and Assembly, writs calling the Assembly together, pardons granted by the Governor, summonses to the members of the Assembly to meet to assess the public levy, proclamations of rebellion and other proclamations, writs to adjourn court, and the forms of oath to be taken by

various officials. As a court of record a number of deeds and mortgages are to be found enrolled. In two instances delivery of land by seizin with turf and twig is mentioned in the deed. The Court of Chancery, however, was used less than the Provincial Court for recording deeds and mortgages.

Writs of error or of *certiorari* directed to the county courts or the Provincial Court, ordering that cases be sent up for rehearing from these courts respectively to the Provincial Court, or to the Upper House sitting as the highest appellate court, are quite numerous, and as they passed under the Great Seal are to be found recorded in the Chancery Court proceedings. It is to be noted that during this period, and in fact until 1718, final decrees of the Chancery Court were not subject to appeal and review by the Governor and Council in the Upper House, or after 1695 by the Council sitting as a Court of Appeals, as were the decisions of the Provincial Court, although a very few cases in which the Court of Chancery had restrained proceedings at law, found their way on appeal to the Council. It should be remembered, however, that any case decided in the higher courts of the Province which involved more than £300 sterling might be appealed to the King and the Privy Council of England.

As measured by the bulk of the papers, the most voluminous entries among these Chancery records are those involving the inheritance of land, and are the writs known as *diem clausit extremum*, and *mandamus*, which are orders to make inquiry as to the ownership of land lately held by a person supposed to have died without lawful heirs, and instituted with a view to a possible escheat of such land to the Lord Proprietary, these writs being followed by an *inquisition post mortem* with a record of the findings of the jury of inquiry, and the judgement of the court. A very large number of these writs and inquisitions are recorded and they give valuable insight not only as to the lands in question but as to their former owners. Perhaps a fourth of the material found in this volume is of this character. Judge Bond gives an interesting description of these writs and inquisitions in his Introduction to the Legal Procedure.

Among the pardons granted by the Lord Proprietary was one to a man sentenced to death nine years before in the Provincial Court, but whose sentence had been suspended by the Governor in open court, and who, in modern parlance, had then been released on probation. Although the story of Pope Alvey, a cooper of St. Mary's County, and of his two trials in 1664 and 1665 for two separate offences, is reported at considerable length in an earlier volume of the *Archives*, for some reason the record of the case entered in the Proceedings of the Chancery Court at the time when the Governor's pardon passed the Great Seal, July 7, 1674, is given here in even greater detail than it is in

the original dramatic record in the Proceedings of the Provincial Court (*Arch. Md.* xlix; 166-168, 233-235, 453, 496, 538-546, 555). Alvey had been found guilty of murdering Alice Sanford, a young indentured servant-maid, who had died a few hours after she had been cruelly beaten by her master. He was sentenced to be hanged, but had escaped the gallows by pleading "the benefit of clergy", and upon showing his ability to read the Book had been branded in the hand and released. The following year he stole and killed a neighbor's cow, and for this felony was tried and found guilty by a jury and again sentenced to be hanged, the Court, according to the regular practice, refusing to entertain a second time a plea for the benefit of clergy. For some reason not very clear, but possibly on the grounds of Alvey's mental irresponsibility, and perhaps even by prearrangement, immediately after sentence of death was imposed, the record shows that "Then Came Severall persons & upon their knees humbly beg of the Lienten^t Gen^l [Charles Calvert] the life of the said Pope Alvey & that he would please to Reverse the Judgm^t." The Governor forthwith gave Alvey Respite of Execution and Liberty to depart to his own house * * * Yet Nevertheless the Judgem^t & Sentence past against him to Remain in full force & Effect on the Records during the pleasure of the Governour & according as the Said Alvey Shall hence forward behave himself in his Remaining Course of Life." In the formal pardon, granted nine years later, which is signed by Gov. Charles Calvert, it is recited that the pardon was granted at the reasonable request of the Lower House of Assembly made at a recent session (pages 121-130). The records of the Assembly for the May-June, 1674, session show the passage, by a unanimous vote of the Lower House, of a resolution, concurred in by the Upper House, requesting the Governor to pardon Alvey (*Arch. Md.* ii, 370, 377). This is perhaps the earliest case of a suspended sentence and release on probation in a capital case to be found in the history of Maryland jurisprudence.

Pardons were issued in favor of thirteen other persons in the decade covered; four of these pardons were granted to persons who had caused the death of others "by misadventure". Thomas Curre was a minor "under the age of discretion", who had killed a certain Elizabeth Walton by misadventure, but notwithstanding was under actual presentment in the Provincial Court (pages 202, 210). Three other individuals under indictment for killing by misadventure were: John Richardson of Talbot County, who in 1670 had caused the death of his wife Mary; Thomas Cocher of Portobacco, Charles County, for killing a certain Richard Turner in 1668/9, and Thomas Floyd in 1677 for killing one Eagle Durant. These were all pardoned, although it appears that Floyd had been previously "indicted, arraigned and convicted" in the Provincial Court (pages 246-248, 222-224, 210-211). Six persons were pardoned for hog-steal-

ing. All of those pardoned were planters, which indicates that stealing a neighbor's hog was a popular sport among the early settlers.

A curious instance is recorded where a certain indentured servant, John Oliver, of St. Mary's County, was convicted, February 20, 1677-8, of stealing seven shillings sixpence of English money and a Spanish piece of eight. He demanded the benefit of clergy which was granted, and then admitted that he could not read the Book, and was promptly sentenced to death. Five days later the Lord Proprietary, acting as Governor, pardoned Oliver upon condition that he become General Hangman of the Province for the rest of his life, with the further proviso that he should serve his master, Richard Chillman, for the remainder of the term for which he was indentured to him, and that after the expiration of this time he make restitution to Chillman by further servitude until the fees due the sheriff for his imprisonment should be paid (pages 214-215).

Under the Great Seal of the Chancellor proclamations or writs for holding a General Assembly were issued by the Governor addressed to the sheriffs of the several counties. A number of these will be found recorded here. In several cases it is recited that the sessions called under previous writs had been prorogued and not held at the time appointed in a former writ. In a warrant issued by Gov. Charles Calvert to Nathaniel Stiles, sheriff of Cecil County, October 14, 1674, under the *Lesser* Seal, the sheriff is ordered to make proclamation of an election to choose delegates to the Assembly from that county, directed to all freemen who have visible seated plantations of at least five hundred acres, or visible personal estates of the value of £40 sterling, qualifying them to be electors (page 33).

The first entry recorded by Robert Ridgely soon after he became Register of the Chancery, and recorded, September 10, 1671, in Liber P. C., is the second charter of St. Mary's City, granted by Cecilius Calvert, and issued under the Great Seal, and enrolled, September 11, 1671. The charter proper is immediately followed by the oath of fidelity required to be taken by all officers under the Lord Proprietary, and the special oath of office required of the mayor, recorder, aldermen, and common councilmen. Philip Calvert as Chancellor was ordered to issue out a *dedimus potestatem* for swearing in the various officers selected, and to issue out a writ to these to meet and select two inhabitants of the city to serve as delegates in the next General Assembly. This writ was endorsed showing that the members of the corporation and free citizens of the city had selected John Morecroft, the recorder, and Thomas Notley, an alderman, as delegates to the Assembly. Writs are also recorded directed to Morecroft and Notley under the Great Seal, certifying as to their election, and ordering their attendance at the coming Assembly.

The charter itself begins by reciting the provisions of a previous charter, which had been granted to the inhabitants of St. Mary's City under the Great Seal, November 3, 1667, but had become void and of no force and effect by reason of non-user. Under the charter of 1667, St. Mary's was to be an incorporated city with precincts one mile square, and the city officials were designated by name. Philip Calvert was to be mayor, John Morecroft recorder, and the six aldermen were to be William Calvert, Jerome White, Daniel Jenifer, Garrett Vansweringen, Mark Cordea, and Thomas Cosden, with power given them to select ten inhabitants of the city to serve as common councilmen. Thereafter the mayor was to be annually elected in November by the members of the corporation, from among the aldermen, and vacancies among the aldermen were to be filled from among the common councilmen. The recorder was to be a person learned in the law. The recorder, aldermen, and common councilmen were to serve during good behavior. The mayor, recorder, and aldermen were given the power within the city precincts of justices of the peace, and they were to execute the laws and ordinances relating to the city, to appoint constables, to pass ordinances for the preservation of peace and order, to regulate trade within the city by reasonable rules and by-laws, to hold a weekly market, and an annual market-fair every February, together with a Court of Piepowder at fair time for the determination of all controversies and quarrels. The method of removal of a member of the corporation for misbehavior and of filling vacancies was provided for in detail.

The charter of 1671, after reviewing the terms of the original charter as just given in brief outline, and which had become void, then recites the provisions of the new charter, which revised and strengthened in certain details the powers conferred in the older instrument. It also names the officials who are to hold the various offices. Philip Calvert and John Morecroft were to be mayor and recorder, respectively, under the new charter as under the old, and the aldermen named were William Calvert, Edward Fitzherbert, Thomas Notley, Daniel Jenifer, Garrett Vansweringen and Mark Cordea, the names of Fitzherbert and Notley replacing those of Cosden and White in the charter of 1667. The number of common councilmen, which was ten under the early charter, was now reduced to seven. Under the older charter these were not named but were to be elected by the other members of the corporation, while in the 1671 charter those who were to hold office for the first year were designated as Thomas Dent, Richard Moy, William Brooke, Daniel Clocker, Thomas Innes, Thomas Winn and Thomas Griffin. Other differences between the two charters need not be elaborated here. For students who are interested in these details there is printed in full in the Appendix the first charter of St. Mary's

City, to be found recorded in the not yet printed Proceedings of the Provincial Court Liber F. F. No. 3 (folio 645-649).

Indian affairs occasionally find their way into the record. The Assembly in 1669 had passed an Act to set aside for the use of certain friendly Indians a tract of considerable extent lying on the south side of the Choptank River in Dorchester County, subject to an annual rent of six beaver skins (*Arch. Md.* ii, 200). As certain portions of this tract were then in possession of the whites, it became necessary to condemn them for public uses. For this purpose a writ of *ad quod damnum* was issued out of Chancery, and on March 7, 1671/2, an inquisition was taken upon three tracts containing in all four hundred acres, lying within the bounds of the reservation as fixed by the Assembly, and damages totalling 17,000 pounds of tobacco awarded to the several owners (pages 71-72). On October 23, 1671, a similar writ was issued for an inquisition and assessment of damages of another tract lying within this Indian reservation, but in this case the return of the jury is not to be found in the record (page 378). Several instances also occur in this volume of land condemned by the same procedure to be used for water mills. In these cases the land in question, after condemnation was granted to a specified individual, to erect thereon a water mill, which was looked upon as of value to the community as a whole.

A case of some little human interest is that of a prominent planter, Thomas Marsh, of Kent County, who sought relief in Chancery against George Utie of Baltimore County, a prominent planter, and an indentured servant woman, Hannah Bowen, whom Marsh had sold to Utie. Utie charged that Marsh was the father of a bastard child which Hannah had given birth to after her purchase. Marsh emphatically denied this, and declared that Hannah had made the charge in the hope of escaping a flogging, the penalty for bearing a bastard. The case had come up in the Baltimore County Court and was ordered to the Court of Chancery for a hearing in April, 1674, apparently because Utie had failed to pay Marsh 1,400 pounds of tobacco which he had agreed to pay for the servant, and which Marsh claimed he now sought to defraud him of by charging falsely that he was the father of the bastard child and because Marsh had other claims against Utie (pages 460-462). As there is no record of the matter coming up for trial in Chancery, it is presumed that it was settled out of court.

In reproducing these old records the original manuscript has been faithfully followed, even when this means repeating obvious slips made by the old scribes, such as omissions of words, repetitions of words, or the use of words clearly wrong. The only liberty taken with the original text has been in a few instances to supply in brackets the missing word or words, where the old paper of Liber C. D., although disintegrated has left enough letters of a defective word to

justify this, or where, as in the case of writs, the stereotyped phraseology makes the missing words certain.

One abbreviation, constantly recurring in the record from 1675 to 1679, when Bloomfield and Painter were the registers, for a while gave rise to some uncertainty. In the brief notation made by the Register in recording the issuance of certain writs out of Chancery, such as *scire facias*, *replevin*, and *ne exeat provinciam*, issued for service to the various county sheriffs, recurs frequently the abbreviated Latin phrase "ad vic Com St. Maries", or "ad vic Com Balt; ", etc., as the county may be, and in one instance "ad vice Com Kent" (page 164). This is without question an abbreviation for "ad vicecomitem Comitis St. Maries", to be translated thus: "To the sheriff (vicecomitem) of the County (Comitis) of St. Maries". This interpretation is confirmed by the entry of a writ on page 196 reading, "ad Coron^r Com. Ch: ", obviously to be translated, "to the Coroner of Charles County". The question is only raised because in one instance the clerk instead of "vic" has written "vicend" (page 289), suggesting the possibility that the abbreviation "vic" or "vice" might be that for some other Latin word than *vicecomes*.

For the index to this volume of the *Archives* the editor is indebted to Miss Elizabeth Mann and Mr. Herbert T. Tiffany. While Miss Mann is responsible for the index in general, those portions of it dealing with the more technical legal aspects of the subject matter have been compiled by Mr. Tiffany, the author of well known legal textbooks, and also the Reporter of the decisions of the Maryland Court of Appeals and editor of its Maryland Reports. The index is preceded by a table of cases which are to be found in this volume of the Proceedings of the Court of Chancery.

The next volume of the *Archives*, which is now in press, will be the Proceedings and Acts of the General Assembly of Maryland for the years 1755 and 1756, to be followed later by two volumes of mid-seventeenth century county court proceedings.

Respectfully submitted,
SAMUEL K. DENNIS,
J. HALL PLEASANTS (*editor*),
JOHN M. VINCENT,
Committee on Publication.

INTRODUCTION TO THE LEGAL PROCEDURE.

CARROLL T. BOND,

CHIEF JUDGE OF THE MARYLAND COURT OF APPEALS.

Sufficient explanations of the proceedings here recorded are to be had by reference to the law and practice in England at the time. Departures and modifications in adaptation to the needs of the colonists were relatively slight, and it remains substantially correct to say that proceedings in the provincial Chancery were identical in form with proceedings of the home country. The fact will be made apparent in the present record, not only by a comparison of proceedings, but also by explicit declarations of the court. The rules of the Court of Chancery in England were kept at hand and referred to for correct practice, the Register was ordered to take fees "in this Court as the officers of this Court in England," for scandalous matter a bill was ordered taken from the files, and the attorney who filed it was mulcted in costs in accordance with the rules and practice of the High Court of Chancery in England, and a limitation upon the jurisdiction in England was cited in a controversy on jurisdiction of the court of the province.

It has sometimes been supposed that in the early years of the English settlements in America there must have been in them a reign of crude, untechnical law. It seemed reasonable to assume that the pioneers would not have trained lawyers in their midst, and would themselves have no considerable knowledge of formal justice under the law, and that therefore the highly developed jurisprudence of the home country would be reproduced among them only at a much later stage, when increased litigation would provide an attractive field for the lawyers. But the early judicial records now being published in the older states seem to contradict that supposition. Close adherence to the law and practice in English courts is a striking characteristic of the proceedings entered in most of them, and this is especially true in the present volume. Punctilious adherence will be found here. Many things will declare the truth that they change their sky but not themselves who cross the sea.

The book has always been designated as the first Chancery record of the Province, and properly so, it would seem. The judges whose sessions are reported in it did, indeed, hold sessions for both the Chancery Court and the Provincial Court jointly, a combination of functions not practiced in England but familiar in the courts of modern Maryland and in those of the United States government, but with only a few exceptions the entries included in this book were confined to proceedings and documents such as belonged to the Chancery Court or the Chancery Office in England. There were four other volumes filled with Provincial Court proceedings of the time.

Not all the entries here are of judicial proceedings. There are writs of election, or formal orders for the holding of elections of members of the legislative

assembly of the Province, and orders for the prorogation of assemblies. As in England, these were issued by the Chancellor, as Keeper of the Great Seal, and belonged among his records. The examples in this record will explain themselves. Commissions of the Peace, that is, commissions to the Justices of the Peace, are found included. These, too, were issued by the Lord Chancellor in England, and comparison will show a close reproduction in Maryland of the elaborate form developed there, and settled finally by a conference of the royal judges in 1590. The charters of St. Mary's City were duly enrolled in the Chancellor's Office, and were therefore included in his records. Records of a number of indentures or deeds were inserted for preservation.

Pardons under the Great Seal, issued upon criminal convictions, were recorded together with the proceedings leading to the convictions, and upon which the Governor acted. Recitals in some of these proceedings may need explanation. All homicides by persons above infancy, except homicides in execution of sentences of courts, or in making arrests of outlaws or manifest thieves, were punishable, according to the theory still avowed, but as excuses for innocent, chance killings came to be recognized, pardons were given for these, and at the time of the making up of this record were always given, as of course. It was a roundabout method of admitting defences. Therefore proceedings and pardons in a number of cases of homicide by misadventure are found.

The "benefit of clergy" claimed by Pope Alvey and John Oliver after their convictions can be satisfactorily explained only historically. It resulted from the right allowed the church in the early middle ages to regulate and punish its own members. At first, it was only to those in priestly garb and tonsured that the exemption from common law punishment was conceded, but in time the test became that of ability to read which was confined almost altogether to the clergy; and, as this ability was extended by printing, laymen came within the letter of the exemption, and stayed within it. But in England the claimants to the benefit of clergy were restricted in some ways. After the middle of the fifteenth century a claimant was always required to come into a court and plead his exemption there; and a statute of Henry VII (chapter 13), compromised on the allowance to laymen by condemning those convicted to a burning with a hot iron in the brawn of the left thumb, and by denying the exemption after it had once been allowed. So it was that Pope Alvey in Maryland, after having once been allowed the benefit of clergy and burnt in the hand, was denied it on a second conviction, and put to the necessity of obtaining the pardon here recorded.

Of the judicial entries, a few may seem wrongly included in a Chancery record. Cases arising in county courts or in the Provincial Court, on minor criminal charges, were by writs of *certiorari* removed to the Court of Chancery for disposition there, presumably because unsatisfactory conditions required the removal, but removal before any trial seems to have been unusual in England. At that time however, the power of common law courts to grant new trials had fallen into disuse and parties feeling aggrieved by verdicts were resorting to the Court of Chancery for reconsideration. Writs of *certiorari* commanded the certification and transmittal of copies of records in cases removed.

A proceeding on what was called a writ of *audita querela* would seem to have belonged to the common law courts. That was a writ, or order, surviving from the fourteenth century when what were later distinguished as the common law courts granted equitable as well as common law remedies, and it was a provision for exceptional demands of justice not taken into account by the general and ordinarily sufficient rules, a provision of the nature of those by which any body of rules devised by men must be supplemented. When a defendant against whom a judgment had been entered, and against whom execution might be issued, came forward with a complaint of circumstances which would render it intolerable that the judgment and execution should be allowed, the common law court in which the judgment had been entered might issue the writ of *audita querela*, so called from its recital in the Latin that the complaint had been heard, and ordering the parties to come before the court that a determination might be had. It was the equivalent of an original suit, and the parties would appear and plead after the issue of the writ. In this instance an attachment had been sued out against a defendant alleged to have been a non-resident or an absconding debtor, and his goods had been condemned to pay the claim; and he contended that the attachment and condemnation were improper. Under the practice customary in England and in Maryland, both, a defendant was allowed a year and a day after condemnation (one of the scattered fragments of an ancient limitation), to come in and present reasons why the attachment should be abrogated, and in this instance two years had elapsed. The Court allowed an *audita querela*. It is in Maryland as in England an obsolete proceeding, a mere motion being sufficient to accomplish the purpose now.

The proceedings of a Court of Delegates here included were not at all connected with the Chancery Court or the Chancellor as such; they belonged to a distinct court. No ecclesiastical courts were set up in the Province, and the work of probate of wills and administration of the estates of deceased owners, which was committed to the ecclesiastical courts in England, was here managed by the Provincial Court or a justice specially assigned, until 1673, when a separate "Prerogative Court" was inaugurated for it. But whenever during the period of this record, or later in the provincial period, there was a demand for review of a decision in a case of this sort, a special court of justices delegated for the purpose, usually the ordinary justices of the Provincial Court, was commissioned; and it was called by the name of the court regularly commissioned in England for the same purpose, a Court of Delegates. It was the name used there for courts commissioned to hear appeals in admiralty cases, too. As such an occasional court would have no office of its own, there was no repository for its record except that of the office of the clerk who served it. Consequently we find complete records of Courts of Delegates included among those of other courts. This would seem to be the explanation of the inclusion of the whole of the record of a Court of Delegates here. Records of Courts of Delegates from 1696 to the time of the American Revolution are found among the papers of the Governor and Council sitting as the Court of Appeals of that period.

The regular judicial entries of the Chancery Office were of two kinds. As Dr. Pleasants has explained, the Chancellor in England and his assistants exercised the two functions of holding a court of justice and of issuing writs, or royal orders, for the institution of civil proceedings in all the higher courts. These writs were distinguished as the original writs. In the subsequent conduct of the proceedings instituted it would be necessary for the courts themselves to issue writs or orders, and these were distinguished as the judicial writs. Both will be found in numbers in the ensuing entries. But it was evidently the general plan of this book to include judicial writs for proceedings in the Chancery Court only, along with the original writs for civil proceedings in all the courts, and thus to confine it to regular Chancery entries.

Some of the writs issued out of Chancery will be found copied at length; more frequently the issuance of a writ is merely noted. All those copied at length are in English, although in the home country before 1731, except for a brief period during the Commonwealth, most of the writs, commissions, and other solemn instruments were issued in Latin. The provincial clerks seem to have made their own translations, for there is some perplexity and shifting shown. In some of the forms, notably in the writs of error for review by a higher court, an explanatory recital of the complaint made, and upon which the writ was to be issued, was followed in the Latin by the words, *ut accepimus*, as we have been informed, but as will be seen on many subsequent pages this came out of the Chancery office sometimes as "we have received," sometimes as "we have accepted," and sometimes not at all, the expression being omitted. The Latin names of the writs, usually repetitions of words of command, or other distinguishing words in them, were, however, continued in use for the English forms, even to this day for those writs which have survived. Thus the writ of *habeas corpus* was, as it still is, a command that the officer or person addressed have the body of another in court at a specified time. A writ of *scire facias*, the use of which was an incident of proceedings of many kinds, was a command that the sheriff addressed make specified facts known to a person named. A writ of subpoena, another one of many uses, but directed to private individuals, took its name from a clause threatening a penalty for disobedience of the command in that writ. All writs in Maryland at this time were issued under the name and seal of the Proprietary, and not, as in England, and as in Maryland from 1692 to 1715, in the name of the reigning sovereign.

The common law trial courts included the county courts and the higher, Provincial Court, and the original writs for proceedings in these were in two forms, for two forms of relief sought by the plaintiff. When it was demanded that the defendant perform some well-defined act, such as to restore possession of land, pay a certain liquidated debt, or render an account, the sheriff was directed to command, *praecepe*, the defendant to perform it or show cause why he should not. That form was known as a *praecepe*. When nothing so specific was demanded, but only damages to be assessed by a jury, the sheriff was directed to cause the defendant to appear in court at all events, if the plaintiff should give the sheriff security to prosecute his claim, *si te fecerit securum*, and that phrase was used as a designation of the form. Both forms are ordered and referred to in this record. While the name of the second might seem

to indicate that security was required only in proceedings upon that form, in point of fact before the sheriff was permitted to execute the writ in either form he was required to take the surety. The writ of replevin, the issue of which is noted with frequency in this record, was for trial of a claim to goods as owned by the plaintiff but detained from him by the defendant, and it commanded the sheriff at the outset to seize the goods.

It will be observed that a great part of the record is taken up with inquiries or inquisitions, not in proceedings between private parties, but in proceedings on behalf of the Proprietary. The most important are what were called inquisitions or inquests *post mortem*, and inquisitions *ad quod damnum*. The first, inquisitions *post mortem*, were ordered in England upon the death of a tenant *in capite*, or one who had held land directly of the King, or of the Bishop of the palatinate, for ascertaining what the lands were that had been held, of what age the tenant had been, and who was the heir, if any should be found, to the end that the King or Bishop should be protected in his rights. A statute of Henry VIII had provided in England a special court, the Court of Wards and Liveries, to conduct these inquiries; and the tenures inquired into, the inquiries, and the court, all, were abolished on the restoration of Charles II. In Maryland, a deceased landholder's situation would in all likelihood be known, and the writ was applied for in the greater number of instances by a private person with the assurance that there was no heir to take, that the land had escheated, and that it was therefore eligible for new patenting. Lacking any special court for it, the court of Chancery, throughout the time of this record, appears to have taken over the inquisitions upon the deaths of tenants of the Proprietary, to the extent, at least, of issuing the writs. The Provincial Court records contain entries of proceedings in the same cases, and it may be proper to classify the cases as those on the common law side. In England there were several forms of the writ, all with distinct names, and the same names are used in this record. If the writ for the inquiry was issued within a year after the death it was known in England as a writ of *quem diem clausit extremum*, from the Latin words reciting the fact of death of the tenant, that is, that he had brought his last day to a close. Where a year had elapsed, the writ then issued was known as a *mandamus*. If, after the issue of either form of writ no return, or an insufficient one, was made, another might be issued for a better or further inquiry, and it would be known as a writ *de melius inquirendo*. When land was omitted from a first inquiry a writ of *quae plura* would follow. A form used when the heir of a tenant died within age was called a writ of *devenuerunt*. All were writs for inquisitions *post mortem*. The return of the jury summoned for the inquiry was known as the "office found," the common expression for findings upon inquiries on behalf of the Crown. In Maryland the writs were regularly issued to special commissioners; in England, while sometimes issued to commissioners, they were more often issued to an officer called the escheator. While the proceeding in Maryland was commonly instigated by a private individual who desired to take up the land as having escheated to the Proprietary, it will be noticed that relatives and connections of the deceased tenants sometimes applied for a preference, and sometimes got it. The Proprietary appears to have exercised a discretion in this. These inquisitions in

England dealt more extensively with descents, and provided valuable sources of information. They afforded, said Lord Erskine, opportunities for establishing descents "much superior to the modern means by the register of births and baptisms." And Lord Mansfield said, "The proof of pedigrees has become so much more difficult since inquisitions *post mortem* have been disused, that it is easier to establish one for five hundred years before the time of Charles II, than for one hundred years since that reign."

An inquisition, or investigation and report by a body of jurors, usually twelve or more, was an old device of many uses, and others will be illustrated here. The Chancery Court, as will be seen, used it for determining boundaries of land, and the common law courts used it even more often, for the same purpose. Warrants were issued by the courts of one kind or the other for resurveys of land in dispute by the inquest, or the body of jurors, with the aid of surveyors, and the resurveys returned would serve either to settle the disputes, or to aid in the trial of them. The Chancery Court sometimes ordered these resurveys made in connection with inquisitions *post mortem*.

The writ of *ad quod damnum* directed a sheriff to institute an inquiry by the usual twelve men to ascertain who might be damaged by the taking of property for a public purpose, such as the erection and maintenance of a water mill, and what might be the amount of any damage. One of the public purposes which will be noticed here (pages 71 and 378), was that of providing land for the separate use of Indians. The proceeding would be the still familiar one of condemnation of private property for public use, but the writ is no longer made use of as the initiating step.

Another proceeding frequently instituted on behalf of the Proprietary was that for revocation of a land patent in the Province, on the ground that it had been improperly obtained, or was forfeited. It probably had no exact parallel in England at the time, but was appropriately conducted as a Chancery proceeding because Chancery regularly had jurisdiction of the cancellation of instruments. The proceeding was initiated by the issue of a writ of *scire facias*, requiring the sheriff named to give the landholder notice of the claim and the intended proceeding.

The writ of error of the issue of which there are many instances, was a command to the court in which a case had been tried to send the record of the trial proceedings to the higher court, the Provincial Court or the court of the Governor and Council, as the case might be, for review of the judgment in that higher court. A number of these are spread out at length, and some are merely noted. They were commissions or authority to the higher courts for reviewing the particular cases, as well as commands for the transmission of the records, but judges were not appointed in the writs, the tribunals having already been established by general commission, and being permanently in service for such matters. In this respect a writ of error differed from that for review in a Court of Delegates, the occasional court, commissioned for one case only.

The writ of diminution was one which would follow upon the transmission of a record, to have deficiencies or omissions supplied.

The writ of *supersedeas* was an order to stay execution of a judgment or decree while a further proceeding, as an appeal, should be taken and disposed of.

The judicial writs issued in the Court of Chancery in litigation belonging in that court, after the issue of original writs, may require preliminary general explanation. In the fourteenth century and somewhat later in the higher courts, and apparently until still later in the minor courts, equitable or extraordinary remedies and reliefs were granted along with those now distinguished as common law remedies and reliefs, and it was as these fell into disuse in those courts that a practice grew up of resorting to the prerogative of the King, exercised through his Chancellor, to obtain the justice demanded in exceptional cases not provided for by the general rules and procedure in the ordinary courts. For a time this occasional interposition was not regulated by fixed rules, but by the seventeenth century the force of routine and precedent had built up a body of controlling rules and principles for the Chancellor's court, the Court of Chancery, as well as for the older, common law courts. This fact is made evident in the present record. But the proceedings of the Court of Chancery retained a character of their own. The Chancellor and his assistants were always ecclesiastics until the sixteenth century, Sir Thomas More having been the first lay, or lawyer, Chancellor, and consequently the proceedings were generally in the form of those known in the ecclesiastical courts.

Accordingly, judicial proceedings in the Chancery Court, as in the ecclesiastical courts, were initiated by the complainant's filing with the court a bill or petition reciting the facts out of which his complaint arose, and, ordinarily, praying that for the allowance of the appropriate relief the defendant or defendants complained of be brought into court and required to answer the complaint made. The order to a defendant to come in and answer was what was called the writ of subpoena *ad respondendum*. The word subpoena, in Chancery practice, and in this record, has a variety of meanings. As previously stated, it is a form of writ which commands some action by the person addressed, under a penalty for disobedience, *sub poena*. The subpoena *ad respondendum* is the form mentioned most frequently here, and it will often be found referred to merely as the subpoena, or Sp^a. The few transcribed at length are translations of the Latin form which had been in use since the fourteenth century. Its command to the defendant to be and personally appear in court was adopted in that century, when parties to litigation were brought together in the flesh, and made their pleadings by word of mouth before the court officials, but by the sixteenth century this personal appearance had ceased to be required, in fact, although the form of command was continued in use then and until the nineteenth century. Instead, a written answer or demurrer was to be filed. Subpoenas will also be found issued here to bring witnesses to testify, and in that form they are called from the purpose stated, *ad testificandum*. Mentions of subpoenas *duces tecum* occur; they were commands to the person named to bring into court with him books, papers or other matter needed for the trial. In addition, there are subpoenas to hear judgment, to rejoin, and to revive suits, and these are self-explanatory.

It was then deemed essential to any progress with a suit, either in Chancery or at common law, that the defendant should, in form at least, submit himself voluntarily to the jurisdiction of the court for the purpose. Here again is seen a provision for an outgrown conception, this time a very ancient, primitive

conception, that submission of a controversy to public, judicial settlement was, like submission to private arbitration, optional, and to be effected only by consent. Long after that conception had been forgotten, and judicial settlement had become unescapable by a defendant, the old prerequisite of consent was enforced, so far as the court could enforce it. The penalty threatened in the writ of subpoena *ad respondendum*, ordinarily a hundred pounds, appears to have been resorted to little if at all in England, even in the fourteenth century, and it is believed that it was never resorted to in Maryland. If a defendant, after having received the subpoena, disobeyed the command and failed to appear, the first resort was an attachment for contempt, the regular method of enforcing orders of the court. In that proceeding, the writ directed the sheriff to take the defendant or his goods, to coerce the appearance and answer to the complaint. Should the sheriff fail to find the defendant with this writ, there followed a proclamation commanding the defendant to appear upon pain of his allegiance, that is, under penalty of outlawry; and this was accompanied by a second writ of attachment. The next resort was a commission of rebellion, which recited the issuance of the proclamation, ordered that the defendant be taken by the sheriff wherever found, and commanded all constables and bailiffs to assist the sheriff in it. A sergeant-at-arms might in England then be sent to seize the defendant. All these efforts having failed to discover the defendant, or any goods owned by him, the court desisted, and the complainant was left to solace himself with the reflection that the defendant was not worth suing. In the present record will be found instances of all the efforts described except resort to a sergeant-at-arms. If the defendant could not be found in the first place, and the sheriff accordingly made a return of that fact, *non est inventus*, the proceeding could not go forward at all, in Chancery; there would then be no disobedience of the writ, and no contempt, to be visited with the successive processes described.

A defendant who appeared to contest the suit might take any one of three steps as his first. He might file in writing a demurrer to the bill of complaint or petition, which in substance denied that the complainant, on his own bill, had any right to the relief he sought from the court. If the court should find such a denial correct, the demurrer would be sustained, and the complainant's suit dismissed. If, on the other hand, the demurrer was not found good, it was overruled, and the defendant was required to answer the bill of complaint as prayed unless he had ground for a plea, as is stated on page 8 of this volume. The plea was a contention that even if rights might be allowed on the facts in the proper court, and at the suit of the proper party, none could be allowed and remedied in the particular suit either because the court did not have jurisdiction of it, or the complainant was disabled from making the application, by reason of his outlawry, excommunication, or other such matter.

The answer was a most important part of Chancery procedure, taken from procedure in the ecclesiastical courts. Its office was not merely to present the defendant's contradiction of the complainant's allegations and claim, but also to make disclosure of facts demanded by the complainant. It was a purging of the conscience of the defendant to which the complainant was entitled. And it was to be under oath. In England, if the defendant lived within twenty

miles of London, where the Chancery Office was situated, his answer would be taken under oath before one of the masters in Chancery there. If he lived farther off, his answer might be taken before other persons near him, under the authority of a special commission for the purpose, or of a *dedimus potestatem*, a writ empowering persons for the purpose. The Chancery Court in Maryland is here seen issuing these writs of *dedimus potestatem* and commissions, but what distance from St. Mary's entitled a defendant to the convenience is not apparent.

When an answer had been filed, a complainant might find the whole case presented in a manner satisfactory to him, or, at least, leaving him nothing to add, and he could submit the controversy for hearing and decision on his bill and the answer, the allegations of the answer being accepted by him. Otherwise the complainant would file a replication denying the answer, and the defendant might file a rejoinder to anything set up in a replication; and testimony of witnesses would be required to settle their differences. Instead of taking the testimony by the processes of the Chancery Court the Chancellor might refer a question of fact to the consideration and verdict of a jury in a common law court, to be returned to the Court of Chancery for its further action. By the Chancery Court's own processes, testimony was obtained by means of written interrogatories prepared by attorneys, and by persons specially commissioned by the court for taking the answers of the witnesses under oath. As in many instances here, the commissioners would file their report, or return, of the interrogatories and the respective answers, and when all the testimony to be taken had been returned, the case would then be declared by the court ready for publication, which meant that the testimony as a whole would be made public, and copies supplied if demanded. Publication implied a closing of the case on the testimony. In this a wide difference from the method of common law courts will be observed. It was not the practice in Chancery to have witnesses give their testimony orally in open court; cases were heard there on papers only. Not until 1896, in Maryland, was it permissible to examine witnesses in open court in Chancery cases.

For the making up of any accounts to be settled for the purpose of the decisions the court made use of specially appointed auditors or masters, as Chancery Courts do to-day. When these special officers returned their accounts, the parties in interest could contest their conclusions by filing and arguing exceptions.

The orders which were passed during the course of the litigation subsequent to the complainant's reply to an answer, and before final decree, were various, and most of them will probably be sufficiently well understood without explanation. The *capias* referred to was an order to a sheriff to seize the body of a person named, and was an attachment of the body. The meaning of the sheriff's return to *cepi*, I have taken, will be obvious on a slight acquaintance with Latin.

Instances of a writ *ne exeat provinciam*, one of frequent use, will be noticed. It was the writ of *ne exeat regnum* of England, and was issued in the province to prevent escape or departure from the jurisdiction, except upon security given to appear and answer, of a person against whom rights might be asserted in the courts.

In the first proceeding recorded in this volume application was made to the Court of Chancery to restrict recovery on a bond (in which the amount of liability would be specified in round numbers), to the actual amount of loss against which the bond was intended to give protection. This indicates that in Maryland, as in England, the higher common law courts in which suits on bonds would regularly be entered did not then have the power so to restrict the recovery, but were required to deal with the instrument according to its terms, allowing recovery of the amount which the bond stipulated to be paid. In Massachusetts at the time the common law courts were exercising the power here invoked.

The remaining Chancery business recorded is substantially the same in nature and form as that dealt with in the High Court of Chancery. Suits for accounting of proceeds of partnership and other transactions, and for discovery of facts necessary to the accounting, for enforcement of awards in arbitrations, of undertakings to convey lands, for possession of real estate held by trustees and accounting by them, to have trusts in land declared and enforced, to try or quiet title to land claimed, and for cancellation of instruments such as a bill or promissory note.

One case, on a charter party or contract of affreightment, to recover payment of hire of the ship, wages of seamen, and port duties, out of the cargo, may have been brought within the jurisdiction of Chancery by its demand for restraint of suits begun at common law by the party defendant in this suit. Cases of this kind were brought in the Court of Admiralty in England, but the Provincial Court in Maryland had been taking jurisdiction of them.

THE FIRST CENTURY OF THE COURT OF CHANCERY OF MARYLAND.

THE EDITOR.

The right to administer justice and to establish such courts as he deemed necessary for its administration, was conferred upon the Lord Proprietary of Maryland by the Charter given him in 1632 by Charles I. This authority was conferred not only by the clauses which specifically gave him power to appoint judges and to administer justice within his Province, but also under the still broader authority in the same instrument conferring upon him all the rights and powers enjoyed by the Bishop of Durham in his Palatinate of Durham. The section conferring this authority reads as follows: "all and singular such and as ample rights, jurisdictions, privileges, prerogatives, royalties, liberties, and royal rights and temporal franchises whatsoever, as well by seas as by land * * * to be had, exercised, used, and enjoyed, as any Bishop of Durham, within the Bishoprick or county of Durham, * * * ever heretofore hath had, held, used, or enjoyed, or, of right, could or ought to have, hold, use, or enjoy". More specifically the Proprietary and his heirs were granted the right to "make laws and to constitute and ordain judges, justices, magistrates and officers of what kind, for what cause, and with what power soever, within that land and the sea of those parts, and in such form as to the said now Baron of Baltimore or his heirs shall seem most fitting, and also to remit, reprieve, pardon, and abolish all crimes and offences whatsoever against such laws * * * and, by judges by them delegated, to award process, hold pleas, and determine in those courts, praetorian judicatories, and tribunals, in all actions, suits, causes, and matters whatsoever, as well as criminal as personal, real and mixed praetorian".

The editor has elsewhere traced in some detail the original development of the Provincial Court as the general law court of the Province, and made brief reference there to the Court of Chancery (*Arch. Md.*, xlix; pp. iii-xvi). Both of these courts were in their earlier development identical in personnel with the Governor and Council, and for the first sixty years after the settlement in 1634, the Governor ordinarily presided in each court, and the associate justices of both courts were the members of the Council.

The Chancellor in Maryland until nearly a century after the settlement, did not possess the broad judicial "one-man" powers of the Chancellor of England. During this time the office of Chancellor was usually combined with that of Governor, but the offices were several times separated, as when Philip Calvert was Chancellor, but not Governor, from 1661 to 1682, and again on several other occasions prior to 1725. Until the last decade of the seventeenth century the Chancellor, unless he were Governor, did not even preside in his own court, the Governor doing so under the title of "Chief Judge in Equity." Although during this period the judicial powers of the Chancellor were overshadowed by

the Governor, as Keeper of the Great Seal of the Province through whom all writs, processes, proclamations, pardons and patents were issued, his office was one of great importance and profit.

The first mention of the Chancellor of Maryland is to be found in the commission by the Lord Proprietary, Cecilius Calvert, dated April 15, 1637, issued to his brother, Leonard Calvert, appointing him Governor, in which among numerous other offices conferred upon Leonard, we find those of "Chancellor, chief justice and chief magistrate", and at the same time the Proprietary appointed a council of three with whom the Governor "from time to time advised". That Leonard had held all these offices from the time of the settlement in 1634 until the date of the 1637 commission is certain, however, from the "instructions" given him, November 15, 1633 (*Calvert Papers No. One*, 1889, 131).

When the first Assembly met at St. Mary's City in January, 1637/8, the Governor presented to it for enactment "a body of laws", forty-two in number, which had been prepared in England by the Proprietary. None of these were enacted, however, apparently because the Assembly claimed the right to initiate legislation. The text of these proposed laws has not been preserved, although the titles have been (Bacon's *Laws of Maryland*, 1765; Bills—1637/8). One of these, number 27, "A Bill for Civil Causes", doubtless provided machinery for the establishment of law and equity courts. At the Assembly held the following year, February, 1638/9, among some thirty-six bills introduced were four, which respectively provided for establishing a Court of Admiralty, a Court of Chancery, a Praetorian Court, and county courts. These bills, which had been prepared by the Assembly, passed two readings, but did not become laws, in this case because of Proprietary opposition, based on his claim to the sole right to initiate legislation. Even had not this question entered, it is unlikely that the Proprietary would have submitted to any form of interference by the Assembly in his charter rights to establish courts and control the administration of justice. Fortunately copies of these bills have been preserved, and we learn from the proposed "Act for the Erecting of a Court of Chancery", that it was to be a court of record with authority similar to that of the Court of Chancery in England. The powers of the court were then enumerated in considerable detail. Under the act "all matters and causes whatsoever determinable in the high Court of Chancery in England and all matters and causes whatsoever civil not provided for by any Law of this province * * * shall or may be finally heard and determined within this Province by and before the Chancellor of this Province and Council of State". The appointment of a clerk for recording was provided for; the Chancellor, Council and clerk were to form a court of record. This Court of Chancery was empowered "to issue and award all the same or the like writs grants pardons Commissions or edicts as may be issued or awarded out of the high Court of Chancery in England", and to have all the powers "within this Province as the said Court of Chancery enjoyeth or may enjoy use or exercise within the Realm of England except where it is otherwise provided by any law of this Province". It was distinctly provided that all writs

and other instruments were to be issued in the name of the Lord Proprietary and not in the name of the King. It was further provided that all civil causes in any other court in which any judge (unless he be the Governor) of that court was a party, should be tried in the Court of Chancery (*Arch. Md.*, i, 49-50).

Although the act for erecting a Court of Chancery failed of passage for the reason just given, it seems certain that the provisions of the bill were an expression of the lines along which equity jurisdiction was then developing in the Province and that it continued to develop along these same lines.

At the session of July, 1642, however, "An Act for Rule of Judicature" was passed. This act, which did not go into details of court organization, declared as to equity that "right and just shall be determined according to equity and good conscience * * * according to the law of the Province, or in defect of certain Law then they may be determined according to the best discretion of the Judge or Judges judging, as neer as Conveniently may be to the laudable law or usage of England" (*Arch. Md.*, i, 147). It has been said by Bernard C. Steiner that the distinction between law and equity was recognized in Maryland from the early settlement in a way that was not to be found in the other colonies (*Maryland's First Courts, Amer. Hist. Assoc. Report 1901*, p. 227).

Although the jurisdiction of the court was similar to that of the High Court of Chancery of England, the organization and form of the Maryland court differed widely from the English court as we find it at the time of the founding of Maryland. While all writs were issued under the seal of the Chancellor in the name of the Proprietary, and the authority of the Chancellor as Keeper of the Great Seal was similar to that of the English Chancellor, the Maryland Court of Chancery at this period in its judicial capacity was not a one-man court where causes were heard and decided by the Chancellor as in the English court. Nor need we concern ourselves here with the view held by some, that the English Chancery should not be considered a one-man court because of the fact that the Chancellor regularly referred cases before him for advice to the various masters in Chancery, of which there were twelve attached to the court, and at least one of whom, the Master of the Rolls, had definite, although limited, judicial functions. The general conception of the court, however, certainly was, that the Chancery was the court of the Chancellor alone. The Chancellor of Maryland during the seventeenth century, unless he was at the same time Governor, did not even preside in the Court of Chancery except in the Governor's absence, and his vote counted for no more than did that of any other associate member of the court.

To find the English prototype of the Maryland Court of Chancery as it appears in the seventeenth century we must go back to the medieval Chancery Court of England when it was merely a committee of the King's Privy Council, and at a somewhat later date to the Court of Chancery of the Palatinate of Durham, as it was found at the beginning of the sixteenth century. It will be recalled that the Maryland Charter gave to the Proprietary all the powers then exercised, or which ever had been exercised, by the Bishop of Durham. On account of its exposed position on the borders of Scotland and its distance from London, the broad powers of a count palatine had been conferred upon the

Bishop of Durham as warden of the Scotch frontier by William the Conqueror. With independent authority little less than regal in civil and military matters, the Bishop of Durham down through the fourteenth and fifteenth centuries was the virtual ruler of a kingdom within a kingdom. Although by the seventeenth century, many of these medieval powers had been considerably curtailed, until reorganized in 1536, the administration of justice and the appointment of judges was in the name of and under the control of the Bishop. It was but natural that Cecilius Calvert, to whom as Lord Proprietary his Charter had specifically given all the authority ever possessed by a Bishop of Durham, should have been influenced in the adoption of the form of administration of justice in his Province by the former usages of the Palatinate of Durham. It also seems probable that as a native of Yorkshire, a county near Durham, he was familiar with the history and customs of the Palatinate and the wide judicial and civil powers exercised in the previous century by its ruler, and felt that these would be desirable powers for the Proprietary of Maryland.

The subject of the Palatinate judiciary has been exhaustively treated by Gaillard Thomas Lapsley in his *The County Palatinate of Durham*, 1900 (pp. 156-198). At the opening of the sixteenth century we find functioning separately in the Palatinate both law and equity courts, which had gradually evolved since its founding, made up of members of the Bishop's Council. In the equity court, or Court of Chancery, the Bishop appears to have sat as chief judge, with his Chancellor and a varying, but often considerable, number of associate judges. The decisions of this court were final and were not subject to review by the High Court of Chancery of England, but were appealable to "the Bishop in Council". When Cardinal Wolsey became Bishop of Durham in 1523 he reorganized the Chancery Court upon a rational basis. In 1536, however, Henry VIII put an end to the judicial supremacy of the Bishop of Durham, for in that year "the act of resumption" transferred to the Crown the appointment of all judicial officers as well as the right to pardon, and provided that all writs and legal processes should thereafter run in the name of the King instead of that of the Bishop.

The law and equity courts of Maryland during the sixteenth century seem to have followed the pattern of the Palatinate courts before the resumption act of 1536. The Governor ordinarily presided in both the Provincial Court and Court of Chancery, as he did in the Council. When sitting in the Court of Chancery he seems to have presided as "Chief Judge in Equity" and not as the holder of the office of Chancellor. From 1661 to 1682, when Philip Calvert was Chancellor, the Governor continued to preside and is always described as Chief Judge in Equity. In his absence the Chancellor presided, doubtless in his capacity as Deputy Governor.

During the first thirty-five years following the settlement, the records of equity cases are found scattered throughout the proceedings of the Provincial Court. At this time the Governor as chief justice, sitting with the members of his Council as associate justices, constituted the Provincial Court, and with the same councillors as his associates, as chief judge in equity, heard equity cases in the Court of Chancery. At this period Chancery cases were few in number

as compared with law cases, and it does not appear that special sessions for hearings in equity were often held. Nor with the small population did it seem necessary at this early period to keep separate sets of records for two courts having the same personnel, especially as the equity cases were so few. In the earlier records of this period the entry headings usually make no distinction between law and equity cases, but in the later fifties, however, a notation by the clerk that a case was being heard in Chancery is occasionally found.

There is no question that from the founding of the Province in 1634 down to the year 1661, the date of the commission of Charles Calvert as Governor, the functions of Chief Judge in Equity and of Chancellor, or Keeper of the Great Seal, had been exercised by the several governors, or by the ranking member of the Puritan councils during the Parliamentary régime, but from 1661 to 1682, the year of Philip Calvert's death, the offices of Governor and Chancellor had been separated.

The Provincial records during the Parliamentary disturbances are too defective to trace in detail the history of the Chancellery and the Court of Chancery. When "the rebel Ingle" in 1645, pretending to represent the Parliament, drove out Governor Leonard Calvert and seized the government, a year of anarchy known as the "plundering time" followed. The seizure by Ingle of the Great Seal, which incidentally was never recovered, indicates that he intended to usurp the functions of Chancellor as well as of Governor, and ironically he did indeed make himself Keeper of the Great Seal, although no papers bearing his attestation during this period exist, nor would they afterwards have been recognized as valid. Although the early records are not as complete as one could wish, there is every reason to believe that, except during the Ingle year of anarchy, some small group of men, alternately of the Proprietary or Parliamentary parties, and with a frequently changing personnel, at any given time governed in their rôle of Council, legislated as the Upper House, and administered justice in law and equity in their capacity as judges, and thus without interruption conducted the executive, legislative and judicial affairs of the Province; and it is equally certain that the ranking member of whatever group happened to be in power, be he Governor or President of Council, acted as Chancellor or Keeper of the Great Seal. The names of the various individuals who acted as Governor and as Chancellor during the frequent absences of Leonard Calvert and at the time of the various shifts of power during the Parliamentary disturbances, need not be mentioned here, but the interested reader may find them all accurately enumerated in the list of Maryland governors prepared by the late Bernard C. Steiner, which appears in the several issues of the *Maryland Manual*. There will also be found on pages lx, lxi of this volume a list of all the chancellors of Maryland from the founding until the Court of Chancery ceased to exist in 1854.

In 1656, when Cromwell for reasons of policy began to curb the excesses of his more fanatical followers, Cecilius Calvert had his Proprietary privileges quietly restored, and on July 10, 1656, appointed Josias Fendall governor. On November 7 of this same year he made Philip Calvert a councillor and Principal Secretary of the Province, and granted him a manor of six thousand acres (*Arch. Md.*, iii, 323-324, 327-329). On June 24, 1660, Philip became Governor

and Chancellor, succeeding Fendall, who had been charged by the Proprietary with treasonable practices. (*Arch. Md.* iii, 391-392).

Philip Calvert, the Chancellor, born a short time prior to 1628, very possibly in Ireland, was the son of George, first Lord Baltimore by his second wife Joan (whose maiden name is not known), and was, therefore, a half brother of Cecilius, the second Lord Proprietary. He had married in England before 1656, when he is noted to have "immigrated" to Maryland with his wife, Anne Wolseley, daughter of Sir Thomas Wolseley of Staffordshire.

Philip had been Governor but a little more than a year when Cecilius in 1661 sent to Maryland to succeed him as Governor his son, Charles, who was fourteen years later, while serving as Governor, to become the third Baron and Lord Proprietary. The commission from Cecilius to his son, Charles, as Governor, dated September 14, 1661, conferred upon him all the numerous and varied offices which were usually vested in a Maryland Governor "except that our said brother [Philip] is still to Continue and remayne our Chancellor and Keeper of our Great Seal there, and we do further hereby authorize and appoynte our Deare Brother Philip Calvert to be our Deputy Lieutenant * * * under our said Dere Sonne" (*Arch. Md.* iii, 439).

At the joint meetings of the two courts from 1661 to 1669, when both law and equity cases were heard on the same days, Charles Calvert as presiding judge heads the list and is variously designated either as Governor, Captain General or Lieutenant General, and his name is always immediately followed by that of Philip Calvert designated as "Chancellor" or as "Deputy Lieutenant Governor and Chancellor". After separate records were kept for the Court of Chancery, beginning in the year 1669, Gov. Charles Calvert's name continues to head the list of judges, and he is nearly always specifically designated as "Chief Judge in Equity", and his name is immediately followed by that of "Philip Calvert, Chancellor". During the absence in England of Charles, the Lord Proprietary, in 1676, 1677, and 1678, Thomas Notley was Governor, and at the sessions of the Chancery Court presided and is designated as "Chief Judge in Equity". At the meetings when the Proprietary or the Governor was not present the Chancellor presided. Thus we find in Maryland from 1661 to 1682, and occasionally afterwards, a Chancellor, who like the Chancellor of the Palatinate of Durham, did not preside in his own Court of Chancery, unless his superior were absent.

Although there is in existence, an original manuscript liber entitled—"Provinciall Booke of Entries for all Accoñs, Writtes and other Process—Beginning 1666", containing various writs and other papers issued out of the Provincial Office from the years 1666 to 1672, to which reference will be made elsewhere, the earliest record we have of the proceedings of the Court of Chancery as separate from the Provincial Court, is an old liber known as The Register Book in the Chancery, C. D., beginning in the year 1669, and extending down to 1684. From this latter, Liber C. D., and another old Chancery record, Liber P. C. 1671-1712, the contents of this volume of the *Archives* are in great part taken.

While it was, of course, to the interest of the public that an accurate record be kept of all writs and other papers issued under the Great Seal of the Chancellor, and of causes heard and decided in the Court of Chancery, it made little

difference whether this record was kept in the office of the Principal Secretary of the Province, or with the Provincial Court Proceedings, or separately. Especially was this true when there was one clerk or register for the two courts, as was the case until 1694, although beginning in 1669 the same individual was called "Clerk" when officiating in the Provincial Court, and "Register" in the Court of Chancery. To the Chancellor and Keeper of the Great Seal, however, who was dependent for his fees upon the amount and character of the work done under his seal and in the Chancery Court, it was obviously to his interest to have a separate record under his immediate control, and this became more and more important to him as the volume of writs and equity cases increased.

We, therefore, must look principally to the records of the Provincial Court down to 1669, where law and equity cases are both recorded in the same books, and to the separate records of the Court of Chancery beginning in 1669, for the activities of the Chancery. A few scattered references to it and to the Chancellor are also to be found in the Council and Assembly records. Thus on May 21, 1674, the Lower House of Assembly sent a message to the Governor and Upper House asking for relief from the long delays in Chancery and the Upper House replied requesting the Lower House "to propound some Certaine rules for the regulacon of the s^d Proceedings to be Considered of by this house" (*Arch. Md.*, ii, 341). As no legislative action was called for we do not know whether such rules were propounded, and if so, whether the Governor and Council adopted them as the rules of court to expedite business.

For some reason not very clear to us, the Proprietary, Cecilius Calvert, issued in London under date of February 16, 1665/6, new commissions to the various important Provincial officials, including the Governor, members of the Council, justices, and Chancellor, with the form of oath of office to be taken by each, and certain instructions to the Governor (*Arch. Md.*, xv, 3-19). He directed his son Charles to "Deliver with your owne hands unto our Deare Brother Philip Calvert Esq^r our Greate Seale of our said Province, and Administer unto him the oath annexed unto these p^sents by us appointed to be Administered unto and taken by o^r Chancelour of our said Province, upon the Taking of w^{ch} said oath and the Delivery of which said Seale by us or our Leietennant of our said Province for the time being or his sufficient Deputy or Deputyes in his absence * * * shall be sufficient upon the Taking of such oath to Constitute our Chancelour of our said Province and th^t wee doe not intend either by Commission or any other way for the future to Constitute any Chancelour of our said Province" (*Arch. Md.*, xv, 12).

It is of interest that in the general commission of this same date for Provincial officers, including the Chancellor, the Proprietary, however, specifically appoints his son, Charles, the Governor, as "Cheif justice of our Provinciaall Court * * * as for the holding of all pleas * * * and likewise for the Determining of all matters of Equity for which any Relief is shall or may be Justly or reasonably desired in our said court" (*Arch. Md.*, xv, 8). Philip Calvert on May 17, 1666, took the oath of Chancellor, Privy Councillor and Justice of the Provincial Court (*Arch. Md.*, xv, 19). The oath taken was doubtless the same as that

recorded elsewhere in the Council Proceedings under date of December 15, 1668 (*Arch. Md.*, v, 41), and also to be found in manuscript among the Calvert Papers (No. 205, p. 6), which is as follows:

"The Oathe of the Chancellor or Keeper of the Greate Seale of the Province of Maryland.

I A:B: Doe Sweare that I will faythfully Serve the Right hono^{ble} Caecilius Lord Barron of Baltimore the true and absolute Lord and Proprietary of the Province of Maryland and his heires, as his Chancellor and Keeper of his Greate Seale of this Province Comitted to my Charge and Custody by his said Lo^ps Com^{on} to me to the best of my Skill and understanding I will cause the Impression in Wax of the said Seale to be affixed to all such things as I have or shall from tyme to tyme receive Comission or Warrant for soe doing from his said Lo^p under his hand and Seale at Armes And th^t itt shall not be affixed to any other wryting or thing whatsoever directly or indirectly with my privity Consent or knowledge I will doe my best Endeavor carefully to preserve the said Great Seale in my Custody Soe long as it shall please his said Lordship to Continue me in the Charge and keeping thereof to the End that it may not be lost Stollen or unlawfully taken from me And whereby any other person may affixe the Impression thereof unto any Wryting or thing whatsoever, without authority for soe doing Lawfully derived or to be derived from by or under a Commission or Warrant under his said Lo^ps hand and Seale at Armes And that I will truly and faythfully deliver up againe the said Greate Seale into the hands of such person or persons as his said Lo^p or his heires shall appoynte when his or their pleasures for that purpose shall be signified unto me under his or their hand and Seale at Armes—Soe helpe me God and by the Contents of this Booke."

Of interest as indicating the importance attached to dress and the other insignia of office was the request by Cecilius to his son, Charles, February 16, 1665/6 "That you seriously take into your Consideration to finde and speedily to propose unto us some Convenient way of and for the making of some visible distinction and Distinctions betweene you our Lieutennant Generall our Chancelor^r Principall Secretary, Generall Officers Cuncello^{rs} Judges and Justices and the Rest of the people of our said Province Either by wearing of habbits Meddalls or otherwise" (*Arch. Md.*, xv, 16). The Council at its meeting June 12, 1666, ordered "that every Justice of this Provin^{all} Court doe appeare in Court at the dayes appointed for theire setting in Court wth his ribbon and meddle upon paine of a Noble for every default to the Lord Prop" (*Arch. Md.*, iii, 547). That these same Justices sitting as a Chancery Court used a different "ribbon and meddle" is unlikely, but that the Governor and Chancellor used distinctive ribbons and medals is most probable.

On February 15, 1677/8, Thomas Notley, then Governor during the absence of Charles, the Lord Proprietary, in England, authorized Philip Calvert, who had pending a number of suits at law and equity in which he was personally interested, to seal with the Great Seal any writs or processes in his own behalf issued out of the Court of Chancery, and to have them recorded in the office of

the Principal Secretary of the Province, and further declared that Philip was "in no manner precluded from the benefitt of our Lawes in Courts of Law or Equity within our said Province by meanes or occasion of your being keeper of our great Seale and Chancelor of our said Province" (*Arch. Md.*, xv, 161).

Philip Calvert died in December, 1682, having served as Chancellor twenty one years. It is worth noting that only one other Chancellor, Theoderick Bland (1824-1846), who held the office twenty two years, served as long as did Calvert, during the two hundred and twenty years that Maryland had a Chancellor. The year before his death he had married as his second wife, Jane Sewell, a daughter by a former marriage of Jane, then Lady Baltimore (the wife of Charles the third Lord) by her former husband, Henry Sewell of Maryland. Philip lived at St. Peter's near St. Mary's City, not far from what is now called Chancellor's Point. Of his qualifications as Chancellor and judge little can be learned, except from an examination of the records of his court, which he seems to have administered in a way satisfactory to all classes. William Penn, writing to Charles, third Lord Baltimore, March 12, 1682/3, just after Philip's death, refers to him as "thy Uncle, a man of Prudence & Ingenious Conversation" (*The Calvert Papers Number One; Md. Hist. Soc. Fund Public. No. 28*, 1889, p. 326). The little we know of his personal characteristics is learned from the private letters of his nephew Charles the third Baron, when living in Maryland as Governor, written to his father Cecilius, and printed in the same volume. Under date of August 14, 1663, in a letter to his father, Charles refers to one which had been written by his uncle, the Chancellor, to Cecilius requesting permission "that he might leave The Greate Seale wth me when his Occasions call'd him up the Bay to his Plantations" and adds, "he has since desir'd me to write to your Lopp that he may be dismissed from his imploynt, for that as he say's he is not able to look after y^r Lopps businesse and his own" (*ibid.*, p. 242). It is needless to say, however, that he did not resign the chancellery, and that he is known to have made good use of his opportunities, and to have patented for himself large tracts of land in several counties. That the relations at this time between uncle and nephew were not very cordial may be learned from what follows. In the same letter Charles mentions the Chancellor's complaints that he, Charles, did not communicate to him his Lordship's instructions, and declares that these were unjustified; but adds Charles, "I can justly complaine of his being backward in assisting & informing me of the businesse of the Country" (*ibid.*, p. 243). Charles referring to the rumor, some ten years later, which events showed was well founded, that Sir William Talbot would not return to Maryland as Principal Secretary, writes to his father under date of April 26, 1672, that the Chancellor "moved to me the sending of a lre [letter] to Y^r Lop, which he said was ready writ to request the Sec^{ess} place for himself, and would have me have seconded it" (*ibid.*, p. 276). Charles refused to do so, saying that he hoped for Talbot's speedy return and adds "I humbly beg of y^r Lo^p. to send him to us for I have little comfort or satisfaction in the Society of any of the Rest of the Councell here". It seems needless to add that the Chancellor was one of the members of the Council.

There are two contemporary documents of the time of Philip Calvert, which throw much light upon the powers and perquisites of the Chancellor as Keeper

of the Great Seal, and upon the judicial functions of the Court of Chancery. In this same volume of *Calvert Papers* published by the Maryland Historical Society there is a long letter, dated June 2, 1673, from Charles Calvert, afterwards the Lord Proprietary, but at that time Governor, to his father, Cecilius, dealing with many Provincial questions and among others with the Chancery Court. Cecilius seems to have requested a "Mr. Langhorne" to send to Philip Calvert for his use certain information in regard to the methods in vogue and the fees charged in the High Court of Chancery of England for papers passing under the Great Seal. Charles goes on to explain in detail to his father the differences between the system of chancery fees in Maryland and in England, and recommends certain changes in regard to the use in the Province of the Great Seal and the Lesser Seal (kept by the Principal Secretary), which, however, do not seem to have been adopted. The Mr. Langhorne referred to in this letter was unquestionably "Richard Langhorne of the Temple", to whom two years later Cecilius Calvert in his will, dated November 21, 1675, left the choice of his pendulum clocks, and the same Richard Langhorne, an ardent Roman Catholic, who, the *Dictionary of National Biography* tells us, was a member of the bar and of the Inner Temple, and being implicated in the "Popish Plot" by Titus Oates, lost his head at Tyburn, July 14, 1679. The letter just referred to from which the following extract is taken has been printed in full in *The Calvert Papers* (*Md. Hist. Soc. Fund Publication No. 28; 270, 293-299*).

"Concerning those fees sent in by Mr. Langhorne for the Chancellor I did Conceive it wholly Related to the Chancellors office and that he would have beene so Carefull in that matter, as to have given yor Lopp a particular accompt wherein the Difficulty lay, but since he hath not I shall minde him of it, what I undstand of it, is this, that in the said list of fees is thinges Charged there that are never made use of here, and many things left out there that wee have dayly occasion for here, but for those thinges that are necessary here the said Directions are very much wanting in this in that it does not distinguish how much in every pticular is due to the Chancellor for the seale, the Rest belongs to the Secretaries office, where all the Records of that business are kept and all writs Commissions Decrees ordrs. &c. transcribed and written. As in the said list is allowed for a Subpena ad Respondend 2s. now the quere is how much for the making and Recording it, and how much for the seale. the Chancellor takes in all businesses that passe the seale, as much as if he writ them & kept the Records of them whereby it comes about that people generally pay Double fees in such Cases, Those that have beene acquainted with Chancery business in England alledge the Ld. Chancellor takes nothing for the seale of Chancery writt & but that true it is when Lord Chancellor pens the seale, on a certaine day his Secretary gives notice to the Clerkes and other officers of that Court to attend who have any such Cursory pcesse to passe the Seale, and they pay the Chancellors Secretaries but 6d a piece for one writ with another, and the number of them that are so sealed at one opening makes it very advantageous to those Secretaries, and the Residue of the fees for such writs, goes to the severall officers of the Court of Chancery, through whose hands they passe for this I humbly conceive yor Lopp may Receive full satisfaction from Mr. Langhorne and when

yor Lopp sends me yor ordr. in that case, they shalbe fully observed, I only write this to yor. Lopp the more fully that people may not pay twice for doeing their busines but that the Chancelor ffee for Every writ in Chancery may be Duly settled, or else (that since wee sit here in a Double Capacity aswell Chancery as Provincial Cort and one Clerke serves for both busines, and wee try aswell Chancery as Provincial Cort busines at one sitting) the same seale (which is the lesser Seale of the Province) that seles the Provincial writs may also seale the Chancery writs, since one is as Cursory as the other, and that only Patents Pardons or Speciall busines touching publique affayres may passe undr the greate Seale, but for this I humbly Reserve it to yor Lopp's Directions by the next."

Elsewhere in this same letter to his father, Charles goes with great detail into the close and complicated relation between the office of Chancellor and that of Principal Secretary, and throws much light upon the "ordinary" functions of the Chancellor as an administrative officer and Keeper of the Great Seal, of which we have no full explanation elsewhere. He writes that he feels sure that one of his father's secretaries (in England), and not his father, is responsible for certain confusing instructions he has received in regard to the issuing of land patents. He complains that the Chancellor refuses to seal any patent until he has been paid his fee in money, evidently referring to a refusal to accept tobacco, and that his "standing so rigorously upon his pay in money for the seale of Patents before he would seale them" is unjustified, because "when one pson is able to procure money here there is hundreds that can procure none", that this has hindered "many hundreds of people from taking up land", and "that severall people at last came amongst themselves to question his fees and alledge it was never consented to in the Assembly as other fees have beene" (*ibid.*, pp. 291-292). How this was finally settled does not appear.

The differences between the Court of Chancery in England and that in Maryland in its judicial capacity, as it had crystallized thirty years after the settlement, are well brought out in the record of the case of *Snowe vs. Gerard*, heard on appeal before the Upper House of Assembly, September 15, 1664. A suit had been brought by Marmaduke Snowe against Thomas Gerrard of St. Clement's Manor in the Court of Chancery upon a recognizance entered into by Gerard for £1,000, and the cause had been dismissed in Chancery February 21, 1662/3, without a hearing. Snowe in his appeal assigns three errors, but only the first two of the errors assigned throw light upon the status of the Maryland court and need be discussed here. As to the first error assigned, it is declared by the plaintiff "that a Recognizance in Chancery is a record of the highest and most honorable Court of this Province ag^t which nothing but a discharge upon Record of the same Court can be admitted". As to the second error assigned, it is claimed by the plaintiff that: "In the Court of Chancery the Chancellor being the Cheife & only Judge according to the lawe & Custome of England the plts bill was notwthstanding dismist Contrary to the opinion of the Chancellor". The defendant Gerard's answer declares that as there never was a recognizance relating to Snowe given in any Court of Chancery in this Province, the first error is "humbly supposed to be ushered in, Rather to amuse this Assembly".

The answer to the second error claimed is of special interest to us here as it unquestionably presents a true picture of the court as it had then developed: "To the second Error and said Gerrard doth positively deny that the hono^{ble} Chancellor now being was at the time of the judgem^t or the dismiss of the Court of Chancery * * * Cheife Judge of the Court of Chancery for th^t tyme or att any tyme since he never was by authority proclaymed as cheife Judge of the Chancery Court * * * or did he ever that he knoweth thereof assume that place or power as Cheife Judge of that Court But that the Leuitenn.^t Generall [Governor] that now is hath from tyme to tyme by vertue of his Com.^{on} as he supposeth satt as Judge of that Courte since his Arrivall into this Province, for other ways if itt should be granted that the hono.^{ble} Leuitenn.^t Generall in Judgem^t of lawe sitting in the Courte of Chancery be inferiour in place or precedence to the Chancellor were to render the person whome he Representeth, to say the R^t hono^{ble} the Lord Prop^{ty} inferior to those w^{ch} are subjects under his dominion which would seeme strange and incongruous both to lawe and reason. And the s^d Gerrard doth suppose that the Chancellor is not constituted here in this Province according to the full & ample authority & regulacōn of the lawes and Customes of engld. But by vertue of a com^{on} from the Lord Prop^{ty} of this Province and soe hath not such ample authority as is supposed, but grant itt were soe yett nevertheles the Lord Prop^{ty} hath not as yett parted with his perticuler authority in that Court for the s^d Leuitenn^t Generall doth to this day sitt in Chancery as cheife Judge and all Addresses are made to him & his Cancell & soe was itt in Snowes case therefore the second Error cannot howld but is as the s^d Gerrard supposeth superfluous & immateriall".

The Upper House sitting as the highest appellate court of the Province decided that the first error was not "Rightly layd"; and then took into consideration "the second Error, (vizt) the power of the Chancellor and his dissent, and waved (waived)". It is unfortunate that the Upper House simply waived a decision as to the second error claimed, but all the facts indicate that the current view was that of Gerrard, that the Governor and not the Chancellor was the chief judge in the Court of Chancery and that the Chancellor's opinion counted for no more than that of any other associate justice of the court. That a decision in favor of Snowe was rendered on the first error alleged need not concern us here, as it does not in any way involve the powers or functions of the Chancellor or the Chancery Court (*Arch. Md.* i, 513-4, 527-530).

Upon the death of Philip Calvert in December, 1682, the Lord Proprietary then in residence as Governor in Maryland, appointed his cousin Henry Darnall and William Digges to be joint Keepers of the Great Seal, chief judges of probate, and councillors, and the oaths of office were administered to them January 26, 1682/83. The following day the Proprietary issued "An additional commission to the Keepers of the Great Seal", which recited, that as under the oath previously taken they were authorized to apply the seal only under special orders from the Proprietary, this was to give additional authority to "you or either or you" to apply the seal "unto all things for the publick admin^{con} of Justice and the managem^t of the Government here (*Arch. Md.* xvii, 196). In May 1683, Darnall and Digges were also given power as Keepers of the

Great Seal to sign temporary laws passed by the Assembly pending the Proprietary's action upon them (*Arch. Md.* xvii, 272).

Charles, the Lord Proprietary, returned to England in the summer of 1684, leaving under a commission, dated May 1, his notorious cousin, George Talbot, Deputy Governor, who with the Council was to act for the Proprietary's four year old son, Benedict Leonard Calvert, formally appointed Governor General. Colonel Henry Coursey was designated as Chief Judge, who together with the Council, was to form courts for holding all pleas and for determining matters of equity (*Arch. Md.*, xvii, 249-251).

Major Nicholas Sewell succeeded Talbot as Deputy Governor in 1685, and Colonel Henry Coursey was recommissioned August 12, 1685, as Chief Judge in law and equity; and September 9, 1685, Henry Darnall, under instructions from the Proprietary, was made sole Keeper of the Great Seal (*Arch. Md.*, xvii, 431-432, 436).

The Council proceedings for September 15, 1686, show that considerable confusion had been caused by the ambiguous wording of the orders issued by the Proprietary in regard to the Great Seal. In the commission of January, 1682/3, Darnall and Digges had been made joint keepers, and had been given power to sign jointly instruments passed under this seal, but in a later instruction dated September 9, 1685, Darnall had been made sole keeper. The question was now raised as to whether this last order gave Darnall authority to sign alone as well as to be the sole keeper. The matter came up before the Council, and it took the view that Darnall should sign alone and be sole keeper, Councillor Sewell, however, dissenting from this view (*Arch. Md.*, v, 504-505).

In the autumn of 1688, William Joseph arrived from England with a commission from the Proprietary appointing him President of the Council, and as such, Deputy Governor under Charles' infant son, Benedict Leonard Calvert; and he was authorized to preside in courts and councils. As such he was Chief Judge of the Provincial Court and of the Court of Chancery. Darnall, however, was not disturbed in his position of Chancellor until the Proprietary government was ousted August 1, 1689, as the result of the Protestant Revolution, when Joseph and the rest of the Proprietary Council were superseded by the Protestant revolutionary or Associators' Convention headed by John Coode (*Arch. Md.*, viii, 107-108).

The Council records for this disturbed period are too imperfect for us to be able to determine whether the courts functioned in an orderly way and a Keeper of the Great Seal was formally designated. The Associators' Council as a whole at first appears to have transacted the public business. In a letter written from "Longworth Point", September 17, 1690, Nehemiah Blakiston says that he has been appointed "President of the committee for the present Government of the Province" (*Arch. Md.*, viii, 206-207). Matters seem to have settled down on an orderly basis by the spring of 1691, when on April 16, the Council designated Nehemiah Blakiston Chief Judge of the Provincial Court, with other members of the Council as associates, the name of Henry Jowles immediately following that of Blakiston. It is probable that Blakiston also was made Keeper of the Great Seal in 1690 when he became President of the Council or "Committee" (*Arch. Md.* viii, 241-4).

Lionel Copley was commissioned Royal Governor by the King, May 10, 1691, but did not reach Maryland until the following spring. By orders of the King in Council, dated June 27, and August 26, 1691, Copley was to be Keeper of the Great Seal and was given power to organize courts of law and equity, but was directed not to erect any new courts without special orders from the King (*Arch. Md.*, viii, 265-266, 276).

The Privy Council, January 7, 1691/2, ordered that new seals of a different design, which are described in the orders, be provided for the Chancellor and for the Principal Secretary to replace those used during the Proprietary period. Probably to indicate its inferior status as compared with the Great Seal of England, in the orders of the Privy Council it is directed that a new "Broad Seal" be sent to Copley and a new Lesser Seal to Sir Thomas Lawrence, who had been appointed October 8, 1692, by the King as Principal Secretary. The receipt of the new Broad Seal was acknowledged by the Council of Maryland, October 1, 1692 (*Arch. Md.*, viii, 285, 297, 371).

It would seem that after the Proprietary government came to an end in 1689, both law and equity cases were heard in the same court and that the records, such as they were, were kept together, for at a Council held August 16, 1692, it is recorded that "His Excellency informs the Board that for the better and more effectual management and dispatch of Business he had thought fit wholly to separate and keep apart the Chancery Office and Records from those of the Provinciall Court, wherefore he thinks it reasonable, and moves the opinion and advice of this Board in settling the fees belonging to the said Office upon the Person who shall for the time being be employed or empowred to manage and execute the same which is unanimously allowed and approved of" (*Arch. Md.*, viii, 356).

This order of the Maryland Council aroused the ire of the new Secretary, Sir Thomas Lawrence, who arrived in Maryland, September 16, 1692, and at once protested violently to the King in Council that he had been thus deprived of sundry fees hitherto the right of the Secretary under the acts of the Assembly, and declared that "His Excellency notwithstanding by a single Order of Council dated the 17th of August 1692, hath thought fitt, contrary to that Law to appoint that all the Writts called Chancery Writts, always issuable, and now going out of the Secretary's Office should thenceforth issue out of Chancery, and the Fees thereunto belonging to be paid to the present Chancellor (now Colonel Nehemiah Blakiston) who of a bare ministerial Officer and Keeper of the Seal, as by his Fees in the late Law sett down appears, is now made sole Judge in Chancery, though at the same time, he sits next Commissioner to the Governor in the Provinciall Court, Supreme Court of Common Law, which said Order though not yet put in execution, is by another late Order affirmed to be fitt and just, but referred to the next Sessions in April following" (*Arch. Md.*, viii, 451). The Assembly does not appear, however, to have confirmed the action of the Council. At a session of the Court of Chancery held, August 23, 1693, Blakiston presided as "Chief Judge in Equity", with three associate judges (*Chanc. Proc. Liber C. D.*, 282). This is the first instance in which a Chancellor, who was not at the same time Governor, presided as Chancellor and Chief Judge in the Court of Chancery.

This petition of Lawrence was read, January 26, 1692/3, before the King in Council and referred to The Committee of Trade and Plantations. This Committee, finding that the order of the Maryland Council of August 17, 1692, being contrary to the law passed by the Assembly, April 16, 1692, fixing the fees to be allowed to the Secretary for Chancery writs, and detrimental to the rights of the Secretary, advised the King that the orders of the Maryland Council be set aside, which was done, March 2, 1692/3 (*Arch. Md.*, viii, 450-452, 454-457; xx, 14-15).

One of the first acts of Copley upon becoming Governor, was on April 8, 1692, to appoint the members of the Provincial Court. His own name heads the list as Chief Judge, and is immediately followed by that of Nehemiah Blakiston, Henry Jowles and seven other associate justices, five of whom do not appear as members of the Council (*Arch. Md.*, viii, 306-7). As Sir Thomas Lawrence in his petition to the King just referred to, apparently written in September or October of this year, states that Blakiston was then "sole judge in Chancery", and as no record of his appointment by Copley has been found, it seems quite possible that he held over as Chancellor from the Associators revolutionary régime. It is difficult, however, to explain this reference to him by Lawrence as "sole judge in Chancery", as it is certain that at this time equity cases were heard before a "Chief Judge" and several associate judges in the Court of Chancery. It is probable that Lawrence, however, referred to Blakiston as "sole judge in Chancery" in his "ordinary" capacity as Keeper of the Broad Seal, rather than in his judicial capacity. Col. Nehemiah Blakiston had probably arrived in Maryland in 1668. He was a son of John Blakiston, member of Parliament for Newcastle in 1641, Mayor of Newcastle in 1645, and one of the regicide judges who pronounced sentence of death upon Charles I in 1649. Nehemiah Blakiston was a lawyer and planter. He was admitted an attorney of the Provincial Court in 1676 and also practiced in the St. Mary's and Charles County courts (*Md. Hist. Mag.*, ii, 56, 58). He probably studied law in England. Soon after coming into Maryland he married Elizabeth, daughter of Thomas Gerrard of St. Clement's Manor. Blakiston died in the autumn of 1693.

Open hostilities soon broke out between Governor Copley and Secretary Lawrence. Lawrence under date of March 20, 1692/3, wrote to Lord Nottingham of the King's Privy Council that he was not allowed to see Colonel Blakiston's "Commission for Chancellor nor any other Records of that Office", and a week later Copley, charging Lawrence with having sold county clerkships to the highest bidder, suspended him as a member of the Council, as Secretary, and as a justice of the Provincial Court, and had him thrown into prison (*Arch. Md.*, viii, 482-510; xx, 17-18). The merits of the quarrel between the Governor and the Secretary need not further concern us; it is sufficient to say that there was much fault on both sides. Lawrence was later released on orders from the King and his offices restored to him, but this was not actually effected until after Copley's death, which occurred at St. Mary's in September, 1693.

Sir Edmund Andros, Governor of Virginia, immediately after Copley's death, sailed up to St. Mary's, called the Council together, September 25, 1693, and

claimed to be now Governor under a commission from the King, which on more careful examination later, however, proved not to support his pretensions. Remaining only a few days he designated Colonel Nicholas Greenberry as President of the Council and Acting Governor, and returned to Virginia. During his brief stay the Council ordered an investigation by a committee, of the condition of the Provincial records, which seem to have been badly neglected since the overthrow of the Proprietary government; and on September 30, 1693, the committee reported, among other things that: "Wee finde noe Chancery Proceedings Entered since the yeare 1682, except one Decree inter Vansweringhen & Taylor, and as to any Minutes thereto belonging, M^r Taylard can give noe Account; therefore is Referred to be inquired after by the former Clerks of the Office: viz^t M^r Grunwin & M^r Boothby". Summoned to appear, the two clerks mentioned promised to complete the records for the short time they had respectively been clerks; but the gap of eleven years in the Chancery records extending back to 1682, was only in small part filled (*Arch. Md.*, xx, 20, 22).

That from the time of his appointment by Andros as Acting Governor, Greenberry was also Keeper of the Great Seal, is shown by the action of the Council February 15, 1693/4: "Upon Representation & Motion made at this Board that the Court of Chancery is at present destitute of a Register, and to the End that for want of such present Officer noe Business in the said Court may be delayed or impeded. Ordered by advice as it is hereby Ordered that M^r William Taylard doe for the time being supplye the said vacancy of Regist^r untill further Ord^r. And that whereas the Hon^{ble} Coll Nicholas Greenberry hath the Custody & Charge of the Great Seale of this Province Comitted unto him the said Coll Greenberry is therefore now in Councill appointed Judge of the Said Court & accordingly is to Comissionate M^r William Taylard Register as afores^d" (*Arch. Md.* xx, 46).

Sir Thomas Lawrence, exonerated by the King of the charges brought against him by Copley, was proclaimed President of the Council, May 7, 1694, by Andros, who came up from Virginia for the purpose, and on the same day the Broad Seal was delivered to Col. Nicholas Greenberry to be its Keeper until further order (*Arch. Md.* xx, 58).

Francis Nicholson by commission from the King dated February 10, 1693/4, was installed as Governor at a meeting of the Council held, July 26, 1694. Under this commission he was empowered, with the advice and consent of the Council, "to Erect Constitute & Establish such & soe many Courts of Judicature and publick Justice * * * as you and they shall think fit and Necessary for the hearing and determining of all Causes as well Criminall as Civill according to Law and Equity". Power was also given him to appoint the necessary judges, and to provide for appeals to the Governor and Council; or to the Privy Council in England, if an amount of more than three hundred pounds were involved (*Arch. Md.* xx, 86-87). Although Nicholson was authorized by his commission to "keepe & use the publick seale" of the Province, he delegated this power to others, and at no time appears as Chancellor or as sitting in the Court of Chancery as Chief Judge.

Two days later at a Council held, July 28, 1694, Colonel Nicholas Greenberry delivered the Broad Seal to the new Governor "which his Ex^{ncy} was pleased to leave upon the Board with the Gentlemen of the Council to be put in the Custody and Charge of such person as they shall think fit; but upon consideration had it was Agreed upon to be his Ex^{ncies} Right and that the same should be Returned to his Ex^{ncy} again to dispose thereof as seems best to his Ex^{ncy} and thereupon S^r Thomas Lawrence tooke Charge of the same to Redeliver it to his Ex^{ncy} (*Arch. Md.* xx, 126). At a Council held July 30, 1694, the Governor delivered "at the Board, unto the hono^{ble} Coll Henry Jowles, the Broad Seal of the Province to be Keeper thereof; and it being moved by his Ex^{ncy} to know how the Court of Chancery has usually been held in this Province; thereupon M^r Kenelm Cheseldyn was inquired off about the premises, who being asked the question does say that the same Judges which heard & determined Matters at Common Law have generally likewise determined Matters in Equity Ordered thereupon that the Court of Chancery continue to proceed in all respects as formerly, the Judicial part thereof only at present excepted" (*Arch. Md.* xx, 128).

The order that the Chancery continue to proceed in all respects as formerly apparently referred only to the "ordinary" functions of the Chancellor in sealing writs and other instruments. It was soon to develop however, that a change in the personnel of the courts was in contemplation, so that the same judges would not sit in all the higher courts of the Province—i.e. in the Council, Provincial Court and Chancery Court, and that this had been the reason for excepting "the judicial part" of the Chancery from the orders to "proceed in all respects as formerly". It was further ordered at the same session that Greenberry, former Keeper of the Great Seal, had liberty to collect the fees due him for business passed under the Seal from the time of Andros' accession to the present time, and that the Clerk of the Provincial Court give him a list of all such fees due for processes, precepts, commissions, etc., issued out of that office (*Arch. Md.*, xx, 128).

Among the long list of complaints made under date of November 22, 1691, against Lord Baltimore to the Lords of Trade and Plantation by the Protestant Associators, after the Proprietary government was wrested by them from him in 1689, was one that all the judges of common law, Chancery, and Probate courts, and the members of the Upper House, were the selfsame persons and entirely under the domination of the Proprietary (*Arch. Md.*, viii, 219). The evils latent in such a judicial system are only too obvious when it is realized that the same men sitting in the Upper House as the appellate court, also reviewed there the decisions they had previously made below in the Provincial Court, although to their credit it must be said that they not infrequently reversed themselves.

Acting under instructions contained in his commission Nicholson now proceeded to reorganize the higher courts of the Province. At a Council meeting held, September 22, 1694, the attorneys then at St. Mary's City were called into consultation, and at a meeting held on September 28, their recommendations were presented to the Council. The lawyers signing the report were Robert Smith, Kenelm Cheseldyne, Edward Boothby, William Dent, and Philip Clarke.

The portion of their report recommending certain changes in the Court of Chancery and in the matter of appeals is in the form of question and answer, and runs as follows:

“What will be the best Methode or Manner for constituting a Court of Chancery or Equity in this province according to the constitutions of the same.

“Wee Say that because you have power & Authority to constitute Erect and establish such & so many Courts of Judicature & public Justice &c^a as to you shall seem convenient &c^a You may constitute a particular Court of Equity in this province. But then for the Hon^r of the Gover^r & Councill it would be Necessary to declare by a Law that any person expecting to be relieved by Equity shall lay hold of the same by Injunction or otherwise before the Matter in Law by Appeale or Error be laid before the sd Gover^r & Councill and not after or else you may procure a Law to be made declaring the Gover^r & Council to be Judges in Equity w^h in this province when the matter shall in a regular equitable way be brought before them by Subp^{en} Injunction or Petition and not otherwise And this wee say because wee are not Unanimously Agreed w^{ch} of the Two is most Agreeable to the Current of Law and constitution of this province And wee humbly signifye that Wee take it to be Against the Current and the Meaning of the Law and incongruous of it Self to have the Same persons Judges in the Prov^l Court as also Judges in Councill for the Motion of Appealing or Writts of Error is to except Against the Judgm^{ts} of these Judges that gives Judgm^t & Appeale to other Judges in a Superior Court w^{ch} plainly Supposes different p^{rs}ons this is our present Opinion of the Matters abovesaid to w^{ch} wth Submission to better Judgments wee Subscribe” (*Arch. Md.*, xx, 135-136).

The Governor and Council then proceeded with their plan of reorganization of the Provincial Court and of the Court of Chancery, and with the establishment of separate special sittings of the Governor and Council as a Court of Appeals, to supplant the current practice of the members of the Council hearing appeals in the Upper House of Assembly. Under the old system the Governor and Council had sat as the Provincial Court to hear law cases, as the Court of Chancery to pass upon equity cases, and as the Upper House to hear appeals from the Provincial Court. Under the reorganization, the Governor and Council sitting as the new Court of Appeals were to hear cases on appeal from the Provincial Court. The latter as now reconstructed no longer had sitting on it members of the Council, and its membership was increased to eleven. The Court of Chancery was reduced in number to three, and the Chancellor who presided was the only member of the Council represented upon it. Legislation was then passed at the October 1694 session of the Assembly limiting and regulating appeals from the Provincial Court to the Court of Appeals. The same act also permitted under limited conditions appeals from the Court of Chancery to the newly organized Court of Appeals in decrees in suits to relieve of judgements at law. Appeals from decrees in Chancery to the Upper House in the past had rarely been allowed. The Act of 1694 contains the following clauses relating to appeals from Chancery decrees:

“And be it further Enacted by the authority aforesaid that all and every person or persons whatsoever shall conceive him or themselves relievable in

Equity before a Court of Chancery from any Judgem^t given or obteyned against him in the Provincia^l Court or County Court aforesaid shall Exhibitt his Bill and proceed in such Court of Chancery before any appeale be Entred or prosecuted before the Govern^r & Councill aforesaid and not afterwards, and that all such persons that shall conceive themselves aggrieved by any decree in the said Court of Chancery, wherein the Originall debt shall exceed the Summe of Ffty pounds sterling or Twenty Thousand pounds of Tobaccos shall be att Liberty to Exhibit his Prayer to the Govern^r and Councill to review & Examine the Same, and that such Sentence Judgem^t or Decree of the said Govern^r and Councill either in Law or Equity as aforesaid shall be finall in this Province, not but that any person or persons agrieved with such Sentence Judgement or Decree of the said Govern^r & Councill where the reall vallue in dispute shall exceed Three hundred pounds Sterling according to their Ma^{ty}s Royall Commission & Instruction to his Exc^{ty} Francis Nicholson Esq^r their Ma^{ty}s Captain Generall and Govern^r in Cheif of this Province shall and may appeale to their Ma^{ty}s in their Privy Councill according as their Ma^{ty}s by their said Commission and Instrucons have been pleased graciously to appoint and direct" (*Arch. Md.*, xxxviii, 8-9).

But the jurisdiction of the Court of Appeals to review decrees in Chancery was so construed that there appears to have been only one case heard on appeal between 1694 and 1718, when an act in this latter year permitting appeals under less restricted conditions was passed, and three years later reenacted with some slight changes. The subject of appeals in colonial Maryland, and the history of its highest appellate court, is to be found fully presented by Judge Carroll T. Bond, Chief Judge of the Court of Appeals, in his two recent books, *The Court of Appeals of Maryland, A History*, 1928, and the *Proceedings of the Maryland Court of Appeals—1698-1729*, 1933.

The Council, October 17, 1694, appointed the members of the reorganized Chancery Court, ordering "that Mr. Kenelm Cheseldyn & Maj^r Edw^d Dorsey be added to the Hon^{ble} Coll Henry Jowles Keeper of the Great Seale for the hearing & determining all Matters in Chancery" (*Arch. Md.* xx, 137). It also fixed the time of holding the several courts and ordered that the Provincial Court be held three times a year on the last Tuesday of February, April, and September, and the Chancery Court on the Mondays following. The Council further ordered that Sir Thomas Lawrence, the Secretary "doe by Virtue of his Comission from their Sacred Maj^{ties} find A Register in Chancery who shall keep a distinct Record for that particular Office". Although Jowles was a member of the Council, neither Cheseldyn nor Dorsey was, so we have now for the first time a Court of Chancery whose personnel was not entirely identical with the Council or with the Provincial Court as now constituted (*Arch. Md.* xx, 137, 139). During Nicholson's administration (1694-1698) the Governor did not sit in the Court of Chancery where the Chancellor now presided, and the court was made smaller than it had heretofore been (*Chanc. Proc. P. C.* 1694-1698). For some reason not clear, November 12, 1694, the Council re-commissioned Jowles Keeper of the Great Seal, and ordered the Attorney-General to prepare a new Chancery Commission for the judges previously appointed (*Arch. Md.*, xx, 172, 174).

Chancery affairs again occupied the attention of the Council at the May 14, 1695, meeting, and it was perhaps as a result of the instructions given by this body six months before to Attorney-General Plater that he now submitted the forms of oath to be taken respectively by the "Chancellor, Keeper or Commission^{rs}" in Chancery, which after receiving the approval "of the attorneys and officers of the Co^t" were adopted. These oaths are printed in full in the Council Proceedings (*Arch. Md.* xx, 232-233). Immediately afterward Jowles, Cheseldyn and Dorsey "had administered unto them the Oathes appointed by Act of Parliam^t to be taken instead of the Oathes of Allegiance & Supremacy and Subscribed to the Test", and then took "The forme of the Oath proper for the Chancelour, Keeper of the Great Seal or Commission^{rs} appointed for the keeping of the Great Seal of the Province of Maryland" (*Arch. Md.* xx, 232). The commission, dated May 14, 1695, appointing them "Commissioners and Judges of our Court of Chancery", is recorded in the Chancery records (*Chanc. Proc. P. C.* 294-295).

On December 6, 1695, the misuse of the Broad Seal by John Freeman, recently appointed Register, apparently due to Jowles' absence from St. Mary's City, was investigated by Gov. Nicholson, and on February 27, 1695/6, brought forth an order from the Council that the Chancellor "make answer in writing what he had to say in defense of himself for taking away the Broad Seal of the Province out of Town with him contrary to an Ord^r of Councill * * * and how he came to leave a spare Broad Seal with Stephen Blatchford * * * the which s^d Seal his Ex^{ncy} now burnt". Jowles then delivered his seal to Major Edward Dorsey, one of the justices or commissioners in Chancery, to be kept by him, who was thereupon ordered to seal only "what is authentick & according to the Rules & practise of his Ma^t high Court of Chancery". A letter was read from Jowles setting forth as the cause of his absence, "his present indisposition of body" and asking that one of the "hono^{ble} Councill might be appointed to sit in Chancery Causes this court in his stead" (*Arch. Md.* xx, 361-362). It appears that on October 15, 1695, when the Council had ordered Jowles "for the future to lodge the Broad Seal with Maj^r Edward Dorsey one of the Commissioner in Chancery" to be kept by him and used to seal instruments in the absence of Jowles, the Keeper, he had failed to do so and had carried it away, and then intrusted it to Freeman, the Register (*Arch. Md.*, xx, 326-327). Jowles later, on February 15, 1695/6, complained to the Council of Dorsey, alleging that he had failed "to give him an account of the Chancery fees". In reply, the Council declared that Dorsey denied the charge against him, and that it was the opinion of the Council that half the fees should go to Dorsey for the period when the seal was in his custody (*Arch. Md.* xx, 391).

On May 14, 1695, John Freeman was sworn in again as Register of the Chancery Court. It is learned from the proceedings of the court that, October 1, 1694, Sir Thomas Lawrence, who had been authorized to "find a recorder", had selected Freeman, whose commission having been burned in a fire at the Chancellor's house, it was deemed necessary to recommission him. It was not long before Freeman was in hot water with Nicholson, who charged him before the Council on December 6, 1695, with unlawfully sealing with the Broad Seal

"a couple of instrum^{ts}, a subpoena and an injunction in Chancery", which contained "blanks" and were otherwise imperfect. The offense seems to have been allowed to pass (*Arch. Md.* xx, 139, 233, 361). Again eighteen months later Freeman was in more serious trouble in regard to the issuance of a writ of error for the benefit of a certain William Sharpe. Nicholson and the Council requested the Solicitor General and His Majesty's Counsel at Law to inquire whether Freeman had not committed perjury in making certain false statements in regard to the actual date of issuance and the date when it passed the Seal. It would appear from the records that there had probably been a misunderstanding as to these dates. At all events, the charge does not seem to have been pushed (*Arch. Md.* xxiii, 108, 111-116).

When Jowles asked that a member of the Council be appointed to sit in "this Court in his stead", the Attorney-General and Solicitor General, February 28, 1695/6, recommended to the Council that an entirely new commission in Chancery "for this term" be issued out of the Secretary's office headed by Colonel Nicholas Greenberry with Cheseldyn and Dorsey, the two former associate commissioners in Chancery, as his associates, because there was "pretty much business now pending in this court" (*Arch. Md.*, xx, 362, 364-365). From the records of the Chancery Court itself we learn that the commission dated, March 2, recites that Jowles was suffering from "gout and other indispositions", and that Colonel Nicholson Greenberry was on this account appointed Keeper of the Broad Seal "pro hâc vice", instead of Colonel Henry Jowles. When the Court met again May 21, Jowles had resumed his place (*Chanc. Proc. Liber P. C.* 320-328). That the Chancellor was reinstated in the good graces of the council is shown by the entry of May 16, 1696, in its proceedings: "Came the hono^{ble} Maj^r Edward Dorsey one of Commission^{rs} in Chancery & delivered at the Board the Broad Seal of the province, which was by Ord^r surrender'd up to the hono^{ble} Coll Henry Jowles Chancelour for his keeping, during his Residence in Town" (*Arch. Md.* xx, 426). At the September and December 1696 sessions Jowles was again excused from attending at the Council because of his "great lameness".

On December 9, 1696, the Council appointed Colonel John Addison, then the only one of the "Councill as yet to come to Town to Act (pro hâc vice) in Coll. Jowles stead", and on the twelfth Addison was sworn in as a commissioner in Chancery and Keeper of the Broad Seal of the Province, and the seal delivered to him (*Chanc. Proc. Liber P. C.* 338; *Arch. Md.*, xx, 553). At the same meeting the advice of the justices of the Provincial Court and the lawyers then in town was asked as to whether the Chancery Court and the Court of Appeals should sit on the same days as the Provincial Court, or at the end of the session of the latter court, and it was unanimously decided to sit at the end, "one court being Enough for the Lawyers to attend at one time". The next meeting of the Court of Chancery was ordered to be held in Annapolis in February and May, this marking the transfer of the capital from St. Mary's City to Annapolis (*Arch. Md.*, xx, 560-561, 572).

More frequent meetings of the Court of Chancery were demanded by the public, and the Council, December 16, 1696, ordered: "Upon Representation

and the Complaint of diverse persons Rec^d Ordered that the Court of Chancery do for the future sit every two months, that speedy Justice may be done and the Causes there brought not so Delay'd and prolong'd " (*Arch. Md.* xx, 583).

The Council proceedings show the result of an interesting consultation that Governor Nicholson held on October 9, 1695, with a group of lawyers in regard to the appellate jurisdiction of a Court of Delegates which it was proposed to call to hear an appeal from an order of the Commissary General or Chief Judge of Probate. The general question of recording the opinion of any dissenting judge in the several courts came up for consideration and resulted in an order by the Governor and Council, acting upon the unanimous advice of the lawyers connected with the courts, that " if in case any Judge Enters his Dissent to the Judgm^t of the rest of the Judges sitting in Judgm^t with him, whether such Judge dissenting shall not thereupon give or shew some Reason for such his Dissent, & whether the same should be Entred in the Record or not, who are Unanimously of Opinion that any Judge may Enter his Dissent without shewing any Reason, and that such Dissent ought to be Enter'd in the Clerks Minute Book fair writ out, but not in the Record, And thereupon Ordered that the same Rule be observed in all & singular the Courts of Justice within this Province ". The clerks of the several courts were ordered hereafter to keep such minutes. The opinions of the Maryland lawyers participating in this conference in regard to the functions of a Court of Delegates are recorded in full and include the names of " M^r Attorney & Solicitor Gen^l ", Kenelm Cheseldyn, Charles Carroll, Philip Clarke, Robert Goldsborough, Robert Carville, and Samuel Watkins (*Arch. Md.*, xx, 311-319). At this date George Plater was Attorney-General and William Dent Solicitor General (*Arch. Md.*, xx, 181, 237, 287, 380, 385). Their opinions are also filed, but not under their official titles. It is to be noted that the proceedings of a Court of Delegates held in 1678 are to be found among the records of the Court of Chancery in this volume (see pp. 508-520).

The list of associate justices of the Provincial Court sitting at the session of December 14, 1696, shows no names that occur on the Court of Chancery at this time (*Arch. Md.*, xx, 575). We have already seen that the members of the Court of Chancery are spoken of variously as judges, justices and commissioners. From 1701 to 1719 the term *assistant* is frequently used for associate justices. It is to be noted that Kenelm Cheseldyn, a member of the court, also refers to himself in a deposition made, December 12, 1696, as having been for some time " one of the Masters in Chancery ", showing that the term *master* was at one time synonymous with associate justice (*Arch. Md.*, xx, 576). The Council records from 1696/7 to September 1698, are missing, but at the Council meeting of January 2, 1698/9, oaths were administered to Nathaniel Blakiston, the new Governor, and to various other officials, including " Mr. Samuel Young, one of the masters in Chancery " (*Arch. Md.*, xxv, 52). At the three next meetings of the Court of Chancery, Young appears as one of the two associate justices, showing that the title *master* was here used in a different sense than it was later employed, for a few years after the Chancery became a one-man court in 1720, we find the term *master* applied as in England to officers of the Court who acted as examiners or auditors for the Chancellor

(*Arch. Md.* xxviii, 57-59). Beginning in 1698, it is to be noted that the principal seal of the Province, for the previous six years usually called the Broad Seal, is again regularly referred to as the Great Seal.

At the May 16, 1697, session of the Assembly an act was passed assigning certain rooms in the new State House at Annapolis for various purposes, including one for the keeping of the records of the Chancery Court (*Arch. Md.*, xix, 594-596). It seems likely that all the courts held their meetings in the Council Chamber.

The records show that Henry Jowles continued to be referred to as Chancellor and Keeper of the Great Seal in 1697, 1698, and 1699. Nicholson was succeeded as Governor, January 2, 1698/9, by Nathaniel Blakiston, and at the Council meeting held that day Nicholson delivered the Great Seal of the Province to Blakiston and "acquaints him that he did appoint Col. Jowles to keep it whereto his Excellency the Col^o. Blakiston says a very good hand", and delivered the Great Seal to Jowles (*Arch. Md.*, xxv, 44, 51). Jowles last appears as Chancellor at a Court held May 29, 1799, and when the Court next met two months later, the Governor, Nathaniel Blakiston, had himself assumed the office (Chanc. Proc. P. C., 410, 413). Jowles who was also a member of the Council, died sometime between July 18, and December 3, 1700 (*Arch. Md.*, xxv, 112). He was a lawyer by profession, as there can be no question that he was the same Henry Jowles, the barrister-at-law, who was admitted to Gray's Inn, July 3, 1663, and was then described as the son of John Jowles, late of Newington Butts, Surrey (E. Alfred Jones: *American Members of the Inns of Court*, 1924, 109-110). He married in 1678 in Maryland, probably soon after his arrival, Sybil, the widow of William Groome of Calvert County.

It will be recalled that when Nicholson reorganized the Court of Chancery in 1694, and reduced its size to three, only Jowles the Chancellor, who also presided, was of the Council, the two associate justices not being members of this body. When Nathaniel Blakiston was sent from England to succeed Nicholson as Governor in 1699, he assumed the Chancellorship himself, and had sit with him as associate justices two, or occasionally three, members of the Council, and from this time until 1720, when the Court of Chancery finally became a one-man Court with William Holland sitting alone as Chancellor, the associate justices seem to have always been chosen from the members of the Council, who were apparently only designated and not especially commissioned to sit in Chancery, although the Council records for this period are too fragmentary to allow one to be dogmatic on this point.

The records of the Court of Chancery show that at the session of August 29, 1699, Gov. Nathaniel Blakiston is referred to as the Keeper of the Great Seal, with Col. Thomas Tench and Major John Hammond of the Council "assistant justices", as they are called. These three sat as the court at the October and December sessions of 1700, and at the April 1701 session. Gov. Blakiston continued to preside in the court, until he went to England in the summer of 1702 to become the Resident Agent of Maryland there. Hammond nearly always sat with the Governor, as also did a third member of the Council, usually Robert Smith, although once, on June 25, 1700, Thomas Tasker of the Council appears as an "associate justice" (Chanc. Proc. P. C., 413-467).

Gov. Nathaniel Blakiston was the son of John Blakiston (1633-1702) of Newcastle-on-Tyne, a barrister-at-law and a member of Gray's Inn. This John Blakiston was a brother of Nehemiah Blakiston, Governor and Chancellor of Maryland, 1690-1693 (*Md. Hist. Mag.*, ii, 56, 61). Nathaniel may have followed his father's profession, but his name does not appear among the admissions to Gray's Inn.

Upon Blakiston's departure for England in 1702, the government of the Province was placed by him, July 30, in the hands of the Council, with Thomas Tench, the "eldest councillor" designated as its "President" and Keeper of the Great Seal. Tench as acting Governor and Chancellor, presided in the Chancery with Hammond and Smith "assistant justices" until Seymour arrived in April 1704, with the Royal commission as Governor (*Chanc. Proc. P. C.*, 474-506).

John Seymour remained Governor from 1704 until his death, July 30, 1709. As Governor and Chancellor he presided at fifteen sessions of the Court of Chancery held during these years, with rarely more than two members of his Council sitting as "assistants" with him. These associates appear in the Chancery records during this period as "assistant justices". At various times we find sitting with him as assistant justices John Hammond, Thomas Tench, Robert Smith, William Holland, James Sanders, Edward Lloyd, Thomas Ennalls, William Coursey, Francis Jenkins, and Charles Greenberry. The Chancellor appears as sitting alone on two occasions, and once on July 16, 1717, as many as three assistant justices sat with him (*Chanc. Proc., P. C.*, 513-621). In 1706 by order of the Lords of Trade and Plantations the old Great Seal was broken and sent to London (*Arch. Md.*, xxv, 206, 207, 217). This was doubtless after a new seal had been received.

Upon the death of Gov. Seymour, July 28, 1709, Col. Edward Lloyd (1670-1719) of "Wye," as President of the Council, became Acting Governor, and with this body governed the Province until the arrival of Gov. Hart some six years later. The Council records for the greater part of this period unfortunately are lost, and we are dependent upon the Court of Chancery records alone. Lloyd acted as Chancellor during this entire period. At the first meeting of the Court of Chancery held under him, March 15, 1709/10, we find six associates, or assistant justices, all members of the Council, sitting with him, some of whom had been associated with Seymour on the Court. Those whose names appear are Samuel Young, Charles Greenberry, William Holland, William Coursey, William Whittington, and John Hall, and these names continue to appear during the remainder of Lloyd's administration. At the twelve subsequent sessions of the Court of Chancery during Lloyd's presidency, rarely more than two or three associates sat with him at any one time (*Chanc. Proc. P. C.*, 677 et seq., *P. L.*, 1-86). Again in 1712, a new Great Seal, described in detail, was sent to Maryland by command of Queen Anne, with orders to break the old seal and return it to the Lords of Trade and Plantations (*Arch. Md.*, xxv, 259, 260).

John Hart, commissioned by the King as Royal Governor, took the oath, October 7, 1714. The Province was restored to the Calverts in the following year, and Hart who appears to have been appointed by the King at the suggestion

of Charles, the third Lord, was again commissioned, May 30, as Governor and Chancellor by the guardians of Charles, the fifth Lord. The Court of Chancery met under Hart as Royal Governor, March 11, 1714/5, with the Governor as Chancellor and with Lloyd, Greenfield, and Young as "assistant judges" (Chanc. Proc., P. L., 112). The Council resolved, July 13, 1715, that "it is very necessary th^t when any reference is made in Chancery to any of the Masters or Assistants in that Court th^t a reasonable Fee shou^d be payd them for their Report". The fee was then fixed at a hundred and fifty pounds of tobacco, or twelve shillings six pence. It was further declared that "whereas several Gentlemen of this Board have according to Custom assisted the Keeper of the Great Seale in holding the Chancery for w^{ch} they were formerly wont be allowed in the Publique. But for that no such Allowance has been made for near two Years last Past * * * the reasonableness thereof be represent to the next Session of Assembly" (*Arch. Md.*, xxv, 305). No record that this was done, however, has been found.

In a list of judicial officers and their fees, exhibited at a Council meeting held September 3, 1715, the average income of the Keeper of the Great Seal, from fees for sealing processes and decrees of the Chancery Court as settled by the Assembly, is declared to be uncertain, but the report adds that they "in some years amounted to fifty Thousand pounds of Tobacco p Ann. seldom more but very often less" (*Arch. Md.*, xxv, 319). Soon after this, legislation was enacted which limited the suits that could be brought in the Court of Chancery and which permitted appeals under certain circumstances from its decrees. At its April 1715 session the Assembly passed an act "for the better administration of justice in the high Court of Chancery", and in other courts, which limited the causes to be heard in Chancery to those involving more than twelve hundred pounds of tobacco or £5 sterling (*Arch. Md.*, xxx, 241). The Assembly at its April 1718 session passed "an act to limit the continuance of actions in several courts * * * and for granting appeals from the Chancery Court to the governor and council" (*Arch. Md.*, xxxvi, 525). At the October 1720 session a supplementary act to that of 1718 was passed (*Arch. Md.*, xxxviii, 278-279). The act of 1718 contains the provision that "after twelve Months from the End of this Session of Assembly, it shall and may be lawful for any Person or Persons that shall conceive themselves aggrieved by any Decree of the Chancery Court, to have an Appeal to the Governor and Council [Court of Appeals] of this Province * * * wherein each member shall have a full Voice" (*Arch. Md.*, xxxvi, 525). Bland in his *Maryland High Court of Chancery* (i, 15-20) discusses, somewhat inconclusively, whether at this period only final decrees were appealable under the acts of 1718-1721 to the Court of Appeals; it was not until 1785 that an act permitting appeals from interlocutory orders was passed.

Hart returned to England early in 1720. It would appear that his recall was in part attributable to certain decrees in Chancery which he had rendered that were unfavorable to the contentions of Maurice Birchfield, the King's Collector of Customs in Maryland. Hart was instructed by the Proprietary to designate during his absence "the first named of the Councill" to serve as Governor, and

to "appoint Edward Lloyd, Esq. the second person named of our Councill, Keeper of the Great Seale * * * with all the Emoluments thereunto belonging * * * and in the Case of his death, absence or refusal the third person of our Councill" was to be Chancellor (*Arch. Md.*, xxv, 353, 356, 358). Lloyd died shortly before Hart left and Col. William Holland became Chancellor. His commission as "Chancellor or Judge of our High Court of Chancery * * * and Keeper of our Great Seale" was dated February 7, 1719/20 (*Chanc. Proc. P. L.*, 488). Holland had been an associate justice of the Court of Chancery more or less constantly since 1705. With Holland's appointment a new chapter in the history of the Maryland Court of Chancery begins. Down to this time it had been a court of a presiding justice or Chief Judge in Equity, who had been variously the Governor, the Chancellor, or both offices combined in the same person, with a varying number of associate justices. It now became a one-man court. As has already been shown, for the first twenty-seven years (1634-1661) after the settlement, the Governor, who was also the Chancellor, presided. When these two offices were separated for twenty-two years (1661-1682), and Philip Calvert became Chancellor, the Governor, at first in the person of Charles, the third Lord Proprietary, and later Gov. Thomas Notley, presided as "Chief Judge in Equity", the Chancellor ranking second, and only presiding in the absence of the Governor. After Philip Calvert's death in 1682, down to the Protestant Revolution of 1689, various individuals, and occasionally two persons at the same time, held the office of Chancellor, with the Governor usually continuing to preside as Chief Judge in Equity. During the time that Maryland was a Royal Province, from 1690 to 1714, we have seen that the office of Chancellor, while generally combined with that of Governor, was often held by some other member of the Council, designated by the Governor or Proprietary to be Keeper of the Great Seal. During this period the Chancellor, whether or not he was identical with the Governor, presided in the Court of Chancery with a varying number of the members of the Council sitting with him as "associate" or "assistant" justices, although in Copley's and Nicholson's régimes some of these associates were not members of the Council.

It seems probable, however, that the change from a plural to a one-man equity court was not in reality as abrupt as the record would indicate on its face. It will be recalled that with the opening of the century the terms *assistant justices*, and later *assistants to the Chancellor*, began to replace the designation *associate justices*, and that at the meeting, July 13, 1715, the Council discussed the fees to be paid to councillors who *assisted* the Keeper of the Great Seal in holding the Chancery, as well as the proper allowance to these *assistants* or *masters* for their reports on questions *referred* to them by the Chancellor. Since the opening of the century it would appear that the chancellors, who were usually also the governors, and until 1715 Royal governors, with the English Court of Chancery as a model to be followed, had more and more centralized the equity judicial authority of the court in themselves. When it is recalled that few, if any, of the early eighteenth century governors are known to have been trained in the law, and even had they been would not have had the time, unassisted, to do all the work of the Chancery, it was but natural that

they should turn over to *assistants* or *masters* for investigation and recommendation questions before the court.

With the passage of the acts of 1718 and 1720, extending the right of appeal from the Chancery to the Court of Appeals, the time may have seemed opportune to take openly the final step to centralize all the judicial authority of the court in one person with a minimum offence to public opinion. And the designation of Edward Lloyd of "Wye", and as the result of his death of William Holland, both native Marylanders, to fill the office of Chancellor with its now added prestige, was a politic move on the part of the Proprietary.

Down to this time the Court of Chancery was in session only at certain stated times, and was not in theory always open to the public, as was said of the English Court of Chancery (*Bland's Md. High Court of Chanc.* i, 59; ii, 597). An interesting reference to this is to be found during the time when Philip Calvert was Chancellor, when in 1681, in a petition addressed to Charles, the Lord Proprietary, then living in Maryland and acting as Governor, in the case in Chancery of Nicholas Painter and wife against Samuel Lane, Painter avers "that the Court of Chancery is and ought to be always open as to the proceedings therein But your Lopp. haveing not yet Impowered your Chancellor or Chief Justice of your said Court to Answer Petitions or make Oathes touching the proceedings (as is used in England) without a full Court of four at least", it is necessary that this petition for immediate relief be made directly to the Lord Proprietary (*Chanc. Proc. C. D.*, 307).

With Col. William Holland's appointment in 1720, the Chancellor assumed the important judicial character which he continued to hold until this office and the court were abolished in 1854. The Chancery of Maryland now became a one-man court with full powers centered in the Chancellor alone, and according to Bland, was thereafter at least in theory open at all times to the public, and not merely at certain stated seasons (*Md. High Court Chanc.*, i, 597; ii, 59). The office became one of great dignity, the highest judicial position in Maryland, and was no longer largely sought, as it had been in the past, because of the fees which came to the Chancellor as Keeper of the Great Seal.

Of the legal abilities of Col. William Holland (d. 1732) of Anne Arundel County, not much has been learned. He seems to have exercised the functions of his office in an entirely satisfactory manner, although he does not appear to have been a lawyer by profession, and was doubtless advised as to technical legal questions by the Attorney-General and the judges of the Provincial Court, as had been his predecessors, and were to be his successors, during the colonial period. He was a large landowner, and had been a member of the Governor's Council, and had sat as an associate justice of the Court of Chancery for several years. Holland held his first court, April 11, 1720, and five more courts were held by him in this and in the following year. His last appearance in the Chancery Court was on July 18, 1721 (*Chanc. Proc. P. L.*, 494, 524, 542, 590, 594, 613, 650). Holland was a member of the Council from 1701 to 1731, and as such a judge of the Court of Appeals. He was also a justice of the Provincial Court, and its Chief Judge from 1709 to 1721.

Colonel Richard Tilghman (1672-1738) of the "Hermitage", Queen Anne's County, succeeded Holland in 1721. Tilghman had held numerous important offices under the Provincial government but probably was not a lawyer by profession. His commission by the Proprietary was dated November 6, 1721, and was issued about the time Charles Calvert, a relative of the Proprietary, arrived in Maryland as Governor. The first record of Tilghman's presiding in court was, February 12, 1721/2, and he appears thereafter as Chancellor until early in 1725, when under date of February 16, 1724/5, in a new Chancery record book (I. R. No. I.), these rather amusing entries appear on the title page "The Following Letter is recorded at the Request of the Honourable Richard Tilghman, Esq. viz—D^r S^r As it is the Duty of Every man that has a Family to provide for these the best measure he can I'm persuaded you cannot take it amiss that after having given the Profits of the seales out of my own pocketts ever since my Arrival I now take them to myself (etc) * * * Y^r Obliged

Humble Servant
Cha' Calvert

With the assumption of the Chancellorship by Governor Charles Calvert in 1725, and which he held until 1727, we find during the remaining colonial period, and until the adoption of the first State constitution in 1776, that all the succeeding governors held the office of Chancellor. Benedict Leonard Calvert, brother of Charles the fifth Lord, was commissioned Governor and Chancellor in 1727. He remained in Maryland until 1731 when on account of ill-health he embarked for England, dying of consumption on the voyage home.

This résumé of the Chancellery of Maryland covers the first century following the granting of the charter in 1632. The records, both printed and in manuscript, from which these notes have been taken, are practically unindexed and have required a page by page search. There are many gaps, especially during the Parliamentary disturbances, and again in the 1690-1730 period, in the records of the Council, which, if in existence, would doubtless throw additional light upon the development of the court of the Chancellor during these periods. By 1730 its functions and scope had assumed the form which it continued to have down to the Revolution, and with a few unimportant changes, until it was abolished in 1854 by the Constitution of 1851. While no detailed sketch of the Court of Chancery and of the Chancellor during its first century has hitherto appeared in print, David M. Newbold, Jr. in his *Notes on the Introduction of Equity Jurisdiction into Maryland 1634-1720*, Baltimore, 1906, touches upon some of the aspects of its development and discusses a few early equity cases recorded in the published proceedings of the Provincial Court. The story of the last hundred and twenty years of its total life of two hundred and twenty years, may be learned from a study of the manuscript books and records in Annapolis recording its proceedings, from the printed reports of Chancellor Theoderick Bland and other later chancellors, and from Maryland law reports covering this later period.

As has already been stated, beginning in 1669, separate records were kept for the Chancery and Provincial courts. The same individuals, however, continued to serve as clerks for both courts, in the Chancery being designated as *Register*, or *Register and Examiner*, and in the Provincial Court as *Clerk*. This continued until 1694, when we find Henry Wriothesley serving in both courts. In October 1694, under authority given him by the Council to select a Register, Secretary Lawrence appointed John Freeman, Register in Chancery, and beginning with Freeman, who remained Register for fifteen years, different men held the clerkships in the two courts. As there is no later record of the Council concerning itself with appointments of registers in Chancery to be found, it seems certain that after Freeman the registers were selected by the court, as such appointments only appear in the minutes of the court itself.

There follows a list of the registers in Chancery from 1669 to the end of the colonial period. After the registers' names are the dates between which they held office. In the case of the registers before Freeman there are few records of appointment, and the dates given are those when the name of each register is found for the first and last time signed to Chancery papers.

REGISTERS IN CHANCERY.

1669 TO 1776.

Robert Carville (Feb. 1668/9–Nov. 1670)	John Freeman (Oct. 1694–Feb. 1708/9)
Thomas Cabewood (Nov. 1670–Jan. 1671)	John Beale (Feb. 1708/9–July 1709)
Robert Ridgely (Jan. 1671–Mar. 1674)	Robert Hall (July 1709–Sep. 1711)
John Bloomfield (June 1674–May 1677)	Edward Benson (Sep. 1711–Jan. 1714/15)
Nicholas Painter (Oct. 1677–Feb. 1781/2)	Thomas Jones (Jan. 1714/15–Sep. 1716)
William Cocks (1682–Mar. 1684)	John Beard (Dec. 1716–May 1718)
Thomas Grunwin (Mar. 1684–Apr. 1686)	Vachel Denton (July 1718–May 1720)
James Heath (Apr. 1686–Sep. 1686)	John Talbot (July 1720–Dec. 1721)
Edward Boothby (Sep. 1686–1689)	Edward Griffith (July 1722–July 1724)
(Protestant Associates' Convention—Court not functioning)	Richard Claggett (July 1724–July 1729)
William Taylard (Apr. 1692–Oct. 1693)	John Ross (July 1729–Apr. 1761)
Henry Wriothesley (Nov. 1693–Oct. 1694)	Reverdy Ghiselin (Oct. 1761–Feb. 1768)
	James Brooks (Feb. 1768–Sep. 1776)

CHANCELLORS OF MARYLAND.

1634-1776.

In the list of chancellors which follows, where the Governor was also the Chancellor the former title is prefixed to the name, and where the Chancellor was not at the same time Governor the name appears without title.

Gov. Leonard Calvert 1634-1647

During Calvert's absences from the Province the following acted as Governor and Chancellor

John Lewger 1638

Thomas Cornwallis 1638, 1641

Giles Brent 1643-1644

William Braithwayt 1644

William Ingle (usurper) 1645-1646

Edward Hill 1646

Gov. Thomas Green 1647-1649

Gov. William Stone 1649-1654

During Stone's absences the following were acting-governors

Thomas Green 1649

Thomas Hatton 1650

Robert Brooke (President of the Council) 1652

(Parliamentary Commissioners, William Fuller, President, 1654-1658)

Gov. Josias Fendall 1658-1660

Philip Calvert 1661-1682

Henry Darnall and William Digges (jointly) 1683-1685

Henry Darnall (alone) 1685-1688

Acting-Gov. William Joseph (President of the Council) 1688-1689

(Protestant Associators' Convention 1689-1690)

John Coode 1690 (?)

Gov. Nehemiah Blakiston 1690-1693

Acting-Gov. Nicholas Greenberry (President of the Council) 1693-1694

Col. Henry Jowles 1694-1699

Edward Dorsey 1695-1696, during Jowles' illness

Col. John Addison 1696, during Jowles' illness

Gov. Nathaniel Blakiston 1699-1702

Acting-Gov. Thomas Tench (President of the Council) 1702-1704

Gov. John Seymour 1704-1709

Acting-Gov. Edward Lloyd (President of the Council) 1709-1714

Gov. John Hart 1715-1720

William Holland 1720-1721

Richard Tilghman 1721-1725

Gov. Charles Calvert 1725-1727

Gov. Benedict Leonard Calvert 1727-1731

Gov. Samuel Ogle 1731-1742

Gov. Thomas Bladen 1742-1746

Gov. Samuel Ogle 1746-1752

Acting-Gov. Benjamin Tasker (President of the Council) 1752-1753

Gov. Horatio Sharpe 1753-1769

Gov. Robert Eden 1769-1776

Richard Lee 1774, during absence of Gov. Eden

Richard Sprigg 1777-1778

John Rogers 1778-1789

Alexander Contee Hanson 1789-1806

William Kilty 1806-1821

John Johnson, Sr. 1821-1824

Theoderick Bland 1824-1846

John Johnson, Jr. 1846-1854

CHANCERY COURT PROCEEDINGS

The Reg^r Book in the Chan.^c of Maryland Liber C D
Beginning 16th Feb^r.^r [1668/69] 37^o Cæcilli &^{ct} p. 1
(fol. 1)

19^o Feb^ry 1668.

John Bayley plt & Raymond Staplefort def^t.

Upon the plaintiffs humble petition this day exhibited to the
and other the Justices shewing that your pet^r hath exhibited
this Court against the defendant to be relieved against
a Verdict at Law the defendant against the plaintiff upon
a Bond of 2000^l penalty dated the 23.th July 1666 Conditioned for
the true performance of a certain then after to be made
and another Clause in the said Condition that if either party refuse
to attend the said Arbitrators such party refusing should
pay 100[£] to the other party. And the plaintiff soon after
with the defendants privy and Consent and partly for his use
his return home the defend^t caused him to be arrested up
the said Bond & declared for £100 for not attending the
Arbitrators and hath gott Verdict for the same although as is
alleged the said Arbitrators never mett nor were attended to make
any award and the defend^t is nothing damnified by any Break of the
condi^con of the said Bond or if he be the plaintiff is ready to pay
such Damnification It was therefore prayed that an In-
junction may be awarded against the sd Defendant for Stay of his
proceedings the said Verdict untill he do directly answer
the plaintiffs Bill and sett forth his particular damnifications and this
Court take other order Contrary which this Court held
reasonable and doth order the same accordingly

Signed p Chancell.^r

John Nuttall & Mark Cordea Deed

This Indenture made the two and twentieth day of March in the
Seven and Thirtieth Year of the dominion of Cæcilius absolute
Lord and proprietary of the provinces of Maryland and Avalon Lord
Baron of Baltemore &^{ct} Anno^q dom. 1668. Between John Nutthall
of Saint Marys County in the province of Maryland Gent of the
one part and Mousieur Mark Cordea of S^t Johns in the said County

Liber C D Inhold.^r of the other part Witnesseth that the said John Nutthall for and in Consideration of the sume of Five pounds of lawfull money of England to him in hand paid by the said Mark Cordea before the Inseal and delivery of these presents the receipt whereof the said John Nutthall doth hereby acknowledge and thereof and of every part thereof Both clearly and absolutely acquitt Exonerate and discharge him the sd Mark Cordea his Ex Adm.^{rs} and for divers other good and valueable Considerations him the said John Nutthall thereunto especially moving hath given granted Aliened Bargained and Sold and by these presents doth give grant aliene Bargain and Sell unto the said Mark Cordea his heirs and assignes for ever all the Mann^r or Lordshps commonly called or known by the name of S.^t Elizabeths Mann^r lately purchased by John Nutthall deceased father of the sd John Nutthall to these plts of and from one Capt Thomas Cornwallis and now in the Ten Occu-
pation the sd John Nutthall party to these presents ad-
joyning Cornwallis
(fol. 2) eight of one mile the with a meridian
pthe afd mile untill it intersect a parrallell
Line & pathway leading in the head
of S.^t Inagoes Creek and on the North
and Containing by Estimation Two Thousand Acres be the same
with all and every the Land & Tenements
rights members and appurtenances s^d Lordship
p. 2 belonging or in any wise appertaining with all his to the tt-
halls right Title and Interest in and to the same and every or any
part there with all deeds evidences pattents grants writ-
ings & muniments whatsoever of or concerning the same To have
and to hold the said Mann.^{rs} Lands & premises to the only proper
use and behooff of him the said Mark Cordea his heirs and assignes
for ever. And the sd John Nutthall doth hereby for himself his heirs
Executors and Adminis.^{rs} Covenant and agree to and with him the
sd Mark Cordea his heirs Ex.^{rs} and Adm.^{rs} that he the sd John
Nutthall at the time of the Ensealing and delivery of these presents
is and standeth seized of the sd Mannor Lands and premises with
their appurtenances of a firm sure good and undefeazable Estate of
Inheritance in fee simple and that he hath full right good power and
lawfull Authority to Grant Bargain & Sell the same to the sd Mark
Cordea and his heirs and that he will for ever Warrant and defend
the same to him the sd Mark Cordea and his heirs against all persons
whatsoever and that the same Mannor and premises are free and
clear of all manner of Incumbrances whatsoever the Rents and
Services due and payable and hereafter to be due and payable to the
sd Lord proprietor and his heirs Lord and Lords of the fee of the
premises always excepted and foreprized And the sd John Nutthall
doth further for himself his heirs Executors and Adm.^{rs} Covenant

promise and agree to and with the said Mark Cordea his heirs Liber CD
 Executors Adm^{rs} and Assignes and every of them by these presents
 at any time whithin these sd seven years next coming at the reasonable
 request and at the Costs and Charges in the Law of him the sd Mark
 Cordea to do acknowledge make and Execute any other lawfull Con-
 veyance or Conveyances assurance or Assurances in the Law
 whether it be by fine or recovery or Inrollment of this p^{rs}suits or
 otherwise whatsoever as by the Councill of the sd Mark Cordea
 learned in the Law shall be reasonably adjudged devised or required
 provided the sd John Nutthall or his heirs be not obliged to travell
 out of this County for the doing acknowledging making and execut-
 ing thereof provided always and it is the true Intent & meaning of
 these presents and the parties thereunto that if the sd John Nutthall
 his heirs Executors Adm.^{rs} or assignes or any of them shall and
 do well and truely pay or cause to be paid to the sd Mark Cordea
 his Executors Adm.^{rs} or assignes or any of them the full and just
 quantity or Sume of Three score thousand Pounds of good and
 merchantable Tobacco in Cask at two entire payments, that is to Say
 Thirty Thousand pounds part thereof at or upon the tenth day of
 October now next Ensueing the date hereof and Thirty Thousand
 pounds Residue of the said Sixty Thousand pounds of Tobacco in
 Cask upon the tenth day of October which shall be in the Year of
 our Lord One Thousand Six hundred and Seventy at some con-
 venient place within the sd County of Saint Marys. That then this
 present Indenture and all the Articles Clauses and Covenants therein
 Contained to be void and of none effect or else to Stand in full
 force power and Virtue in Testimony whereof the parties to this
 present Indenture have interchangeably hereunto Sett their hands
 and Seals the day and Year first above written.

Acknowledged the 23.^d day of March 1668.

Phillip Calvert Esq.

Compton Gwyther aged one and twenty years or thereabouts

Sworn Saith that in the Year of our Lord One Thousand
 Six hundred Sixty and Six he Transported into this province a
 Servant named John Griffith that he signed and Sealed
 Indenture with the said John Griffith for four years Service and
 no more that he sold the said Griffith to Thomas Paine for the sd
 Term of Four Years and no more that the Indenture afd is as Signed
 and Sealed in Wales in the Kingdom of England by the said John
 Griffith that is to Say the originall Indent.^{p. 3} of which a Coppy was ^(fol. 3)
 delivered in this province and further Saith not.

Compton Gwyther.

Juravit Coram me 3^d Aprilis 1669.

Phillip Calvert

Liber C D Affidavit Ch.^r Rousby et ux.^r pltfs. John Pearce def.^t

The plant.^f maketh Oath that upon the 30.th day of March last he personally Served the defend.^t with a Subpœna Issued out of this Court by delivering him the same under Seal which Writt was directed to the said defendant and was for his appearance in this Court the 13.th day of this Instant Aprill to answer a Bill at the plaintiffs Suit.

Chr: Rouseby/Sworn the 9.th day of Aprill 1669 before me.

Phillip Cal

20.th April 1669. The provinciall Court Begun.

Elver James p.^{lt} Ralph Williams defend.^t the defend.^t app.^{rs} to a subp.^a ret 13 Ap.^r

Elver James. p.^{lt} Ralph W.^{ms} def.^t the def.^t app.^{rs} to a Subp.^a ret. 13.th Ap.ⁱ

Rouseby Chris. p.^{lt} & uxor John Peirce def.^t the defend.^t app.^{rs} ut supra

Bayley John p.^{lt} Raym.^d Staplefort def.^t appears ut Supra.

A Deed between Coll.^o Nath.^a Utye and John Carter Esq

This Indenture made the Eighteenth day of January in the Year of our Lord God Sixteen hundred Sixty and Seven Between Coll.^o Nathaniel Utye of the province of Maryland of the one partie and John Carter Esq of the County of Lancaster in Virginia of the other party Wittnesseth that it is Covenanted Concluded Condescended and fully agreed upon by and between the said parties to these presents for them their severall heirs Executors and Adminis.^{rs} that he the sd Nathaniel Utye shall and will Marry and take to wife Elizabeth the daughter of the sd John Carter if she the sd Elizabeth shall thereunto agree and Consent before the last day of february next and the said Nathaniel Utye for and in Consideration of Six hundred pounds of lawfull money of England to be to him according to a Bond bearing date with the sd presents paid by the said John Carter as a marriage portion for the advancement and good of the said Elizabeth and for the Love and affection which the sd Nathaniel Utye beareth to the sd Elizabeth and for a Competent Joynture to be made to the sd Elizabeth in recompense of all Title and Presence of Dower that she the sd Elizabeth shall or may Claim out of all or any the Mannors Lands Tenements or hereditaments of the said Nathaniel Utye his heirs or assignes or any of them doth for him his heirs Executors Adm.^{rs} and Assignes and every of them by these presents Covenant that he the said Nathaniel Utye if the said marriage between him and the sd Elizabeth be solemnized and in case

she the said Elizabeth Survive and outlive him the said Nathaniel Utye will cause to be paid and delivered to her the said Elizabeth her heirs Executors Adm.^{rs} or assigns one whole Third of his goods and Chattles personall & reall that he the sd Nathaniel shall have right to or be possesst with at his death or else Six hundred pounds of good and lawfull money of England at the choice and Election of the said Elizabeth and that she the said Elizabeth shall if she please have one whole years Time after the decease of the sd Nathaniel Utye to make her said Choice and Election and also besides the said Thirds of the sd Goods and Chattles or Six hundred pounds he the sd Nathaniel doth further Covenant to cause to be delivered to her the sd Elizabeth one thirds of his Mann.^r called Spesutia and of all other his Lands Tenements and hereditaments that either now doth or hereafter shall belong to him the said Nathaniel

he sd Spesutia the sd Lands and Tenements and hereditaments to her the sd Eliz her assigns during her naturall Life. And the sd Nathaniel Utye doth further Covenant that in Case of the nonperformance of the premises it shall be lawfull for her the sd Elizabeth or her assigns to Sue and Recover the same in any Court of the province of Maryland or elsewhere the sd premises shall remain and be. And this Indenture doth further Witness that for the better assurance of the p^rmises the sd Nathaniel doth for the Consideration before mentioned Bargain and Sell unto the sd John Carter his heirs and assigns his said Mannor of Spesutia with all houseing and appurtenances belonging thereunto To have and to hold to him the said John Carter and his heirs and doth Warrant the sd Mannor to be free from all former Bargains and Incumbrances against all persons whatsoever and that he the said Nathaniel Utye is the true and sole Owner thereof untill the Sealing hereof provided that the sd Nathaniel Utye possess and Enjoy and make use of the same dureing his Life provided also that if the sd Elizabeth dye before the sd Nathaniel Utye then this deed of Sale to be void provided also that if the sd Nathaniel Utye do by his will or otherwise take such Course that the sd Elizabeth be paid and possessed with all the sd Goods Chattles and moneys in the same manner as it is agreed on & specified in this Indenture that then also this Indenture and deed of Sale to be void provided also that if the said Elizabeth Survive the sd Nathaniel Utye and the goods & Chattles money and Land be not paid and delivered or cannot be recovered in possession and peaceably Enjoyed by the sd Elizabeth and so this sd Deed be in full force that then the sd John Carter or his heirs at the request of the sd Elizabeth or her heirs or her Assignes do reconvey the sd Spesutia with all the houses and appurtenances thereunto belonging unto the sd Elizabeth and her heirs begotten on her Body by the sd Nathaniel Utye and in case of no

Liber C D

p. 4
(fol. 4)

Liber C D such heirs or the failing of such heirs then to her and her heirs in generall And the sd Nathaniel Utye doth further covenant to and with the sd John Carter and his heirs and assignes that he will acknowledge this deed of Indenture in the high Court of the province of Maryland and there Confess a Judgment thereon and have it recorded within Six months after the date hereof and for the performance thereof Both bind himself and his heirs Execut.^{as} and assignes to the sd John Carter his heirs and assignes the Sume of Twelve hundred pounds of good and lawfull money of England In wittness whereof the sd Nathaniel Utye hath sett his hand and Seal the date above written to a pair of these Indentures the one to remain with the sd John Carter till the other be acknowledged recorded and attested in the same high Court of Maryland and then to be returned and exchanged with that which is not recorded to be also attested and remain with the sd Nathaniel Utye as a Counterpart to that which remains in the hands of the sd John Carter and his heirs

Subscribed Nath.¹ Utye

Signed Sealed and delivered in the presence of us

William Pitcher

Thomas Edmonds

[A marginal note reads:] Thus writ at the bottom of the first page of the Deed being writ in paper thus Viz.¹ terlined before Sealing the 20th line Covenant and bar 30th line pounds.

Mem.^m That on the 20.th of Aprill 1669 Coll.^o Nathaniel Utye acknowledged the deed before . . . Cha.^s Calvert. Phillip Calvert

Inrolled the 23.^d day of Aprill 1669.

Ro: Carville Reg^r

[The oath of Robert Carville as register and examiner in Chancery]

his Lordships

to what you are other matt to be Entred you shall truely Record & true Coppys &c when required you shall deliver Subpcenas and other process of the Court you shall bring to be Sealed with the great Seal of the province duely justly and equally you shall Examine their Causes that shall be Committed with you without any favour
 (p. 5
 fol. 5) or Corruption of any per or persons to be had otherwise than of right shall appertain concerning the same and ye shall be attendant as well to his Lordships Business as the same Causes from time to time as he shall require and ye shall not publish or Shew directly nor indirectly the same depositions to any

person afore publication in the Court without Warrant of the same Liber C D
Court So help you God and by the Contents of this Book

Sworn the 13.th day of Aprill 1669

Ro. Carvile

Phillip Calvert Canē:

Long John p.^{lt} W.^m Baker & Eliz.^a Storey defend.^t defend.^t
app.^{rs} by M.^r Rozer to 2 Bills.

At a Court held at Saint Maries for the high Court of
Chancery for the province of Maryland was present the
first day of June 1669 & in the 37.th year of the dominion
of Cæcilius &.^{ct}

Present. The Honble the Chancellour Jerome White
Esq^r Baker Brooke Esq^r and Thomas Trueman Esq^r.

These Causes following were called and ordered that they be
Entred in a paper of Causes by themselves and presented to the
Court to morrow morning.

Wednesday the Second day of June 1669.

Harry Cox Attorney of Dennis p.^{lt} William Berry defend.^t

This Cause being called M.^r Moorcroft Attorney for the p.^{lt}
informed the Court the same was agreed.

The same day Olliver Holloway p.^{lt} John Homewood and others
are defend.^{ts}

Whereas by an order of the day of last it was
ordered that the defend.^{ts} should putt in a better answer to the
Comp.^{ts} Bill The Court was thereupon moved by M.^r Moorcroft
Attorney for the plaintiff that the sd defendant may putt in his
answer forthwith or that he may stand committed but M.^r Rozer
Attorney for the defendant did alleadge that the plaintiff had replied
to our former answer and so we ought not to answer again. This
Court thereupon doth order that the defendant do putt in a perfect
answer to the sd Comp.^{ts} Bill by tomorrow morning or in default
thereof he is to stand Committed to the Custody of the Sheriff of
S.^t Maries County.

M.^r Bisse was admitted and Sworn this day one of the Attorneys
of this and the provinciall Court.

M.^r Moorecroft. may putt in a
answer to the pl.^{ts} Bill in pursuance of an order of the

last past which ord.^r was read M.^r Calvert Attorney for the
defend.^t appears and the defend^t being present was this day Sworn

Liber C D to a second answer to the plaintiffs to which answer M.^r Moorecroft craves Leave till the next Court to reply or Except as thereof shall be cause which is ordered accordingly.

The same day Benjam.ⁿ Cowell pl.^t Jon.^a Seybrey defend.^t M.^r Moorecroft attorney for the plaintiff moves against the defend.^t for a Comittment against him to the Sheriff of Saint Maries County untill he do pay his Contempt and putt in a perfect answer to the Complainants Bill there having an Attachm.^t issued out against him for want of an Appearance M.^r Rozer Attorney for the defend.^t putts in a demurrer to the plaintiffs Bill M.^r Morecroft prays the Judgem.^t of the Court upon the sd Demurrer and further moved that the defend.^t was summoned to answer and ought not to put in a demurrer but this Court were of Opinion and so declared that the defend.^t upon serving of a Subpoena to appear and answer may putt
 p. 6
 (fol. 6) in a plea answer or demurr and that the same shall stand good as if he had putt in answer according to the practice of the Chancery Court in England where the Rules of that Court were as to that particular read.

Ordered by this Court that the sd Demurrer be sett down to be agreed upon Friday next of which all parties concerned are hereby to take notice

In this Cause the Court caused the late Sheriff of Talbott County to whom it was alleadged to the said attachment was directed to return his writt he doth not appear nor had he returned that writt to the now sheriff being present in Court.

It was thereupon ordered that the respective Sheriffs of the respective Countys within this province do by themselves or their deputys or Attorneys attend every Court held here at Saint Maries for the Chancery and provinciall Courts to answer to the said Courts for the return of Writts to them directed as they will answer the Contrary to the said Courts at their perills.

Ordered likewise that the said defendant Sybrey do pay unto the plaintiff or his Attornéy 12.^s and Sixpence for his Costs upon the Contempt of Setting an Attachment that he be Committed to the Custody of the Sheriff of S.^t Maries till he pay the same the defend.^t said he had no money but M.^r Rozer his attorney Engageing in open Court to pay the same the sd Comittment is discharged.

The same day John Bayley p.^{lt} Raym.^d Staplefort defend.^t M.^r Rozer Attorney for the plaintiff moves that the defendant may putt in his answer to the plaintiffs Bill which was filed M.^r Moorcroft attorney for the defendant alleadges the last Court at

which time the Subpœna was returnable was adjourned and that Liber CD they are now in time and prays a Coppy of the Bill gave the defend.^t time to answer the said sometime this Court

The Christopher Rouseby and Eliz^a his wife plaintiffs. John Pearce defend.^t

M.^r Moorecroft attorney for the plaintiff moves the Court that the defendant having appeared to the plaintiffs Bill the last Court hath not yet answered and therefore pray that an Attachment may be awarded against him for want of an answer. The defendant being present in Court say M.^r Notley who is his Attorney is not yett come and therefore prays time till tomorrow in the afternoon to putt in his answer which this Court doth order accordingly or in default thereof that an Attachment do Issue out against him.

The same day James Elver pl.^t Ralph Williams Defend.^t Two Causes.

M.^r Jenifer Attorney in the Causes for the plaintiff Says both these causes are ag.^d

The same day John Long pl.^t William Baker and John Long pl.^{ts} William Baker and Eliz.^a Storey was defend.^t

M.^r Rozer Attorney for the defendants returns into the Court two answers taken by Commission under the Comm.^{rs} Seals M.^r Morecroft for the plaintiff prays Copys of them

The same day Thomas Emerson plaintiff Richard Preston defendant.

M.^r Moorecroft attorney for the plaintiff and the defendant being present in Court say the same is agreed. p. 7
(fol. 7)

The same day Thomas Lomax plaintiff Alexand.^r Smith defend.^t M.^r Moorcroft Attorney for the pl.^t says this is agreed also.

The same day John Halfatt plaintiff Joseph Edloe defend.^t

M.^r Moorecroft Attorney for the plaintiff moves the Court that by an order of the plaintiff was to Examine Witnesses which he had done accordingly and therefore he prayed that publication may pass in his cause so as the plaintiff may bring his cause on to hearing but M.^r Attorney Generall for the defend.^t prays that publication may be Stopped the plaintiff not having yet replied and that the defend.^t may have time to Examine his witnesses he having Henry Coursey Esq and divers other materiall Witnesses to Examine in his cause he not having Examined one Witness yet It is thereupon ordered that the defend.^t shall have time till the next Court to Examine his witnesses and for that purpose he may take out a

Liber C D Commission to examine them if he think fitt but publication is to pass first day of the Sitting of the next Court in October next and in the meantime the plaintiff may procure his Cause to be

the day of June 1669.

P^rsent as before

John Bayley pl.^t Raym.^d Staplefort def.^t Upon the motion of M.^r Rozer Attorney for the plaintiff it is ordered that the plaintiff do putt in his answer to the plaintiffs Bill by to morrow morning or in default thereof that an Attachment do Issue out against him.

The same day Olliver Holloway plaintiff and John Homewood defend.^t

The defendant according to former orders doth putt in his answer and M.^r Rozer prays the Scandall in the plaintiffs Replication put in against the defend.^t may be Expurged with Costs which ordered accordingly Rules M.^r Morecroft who desires a Coppy of the answer and time to be heard herein shall tomorrow morning show Cause to the Contrary.

The same day John Long pl.^t William Baker and Eliz.^a Storey defend.^{ts} in both Causes.

M.^r Morecroft attorney for the plaintiff prays that he may have time granted him till the next Court to reply or Except to the defend.^{ts} said answers which is ordered accordingly the other side not opposing the same.

Friday the fourth day of June 1669.

Present in Court as before

Benjamin Cowell pl.^t Jonathan Sybrey defend.^t

The demurrer putt in by the defend.^t to the plaintiffs Bill coming this present day to be argued in the presence of the Attorneys of both sides then attending it was alleadged by M.^r Moorcroft for the plaintiff that the same is only called a dem.^r in the Title but in the body thereof is rather an answer then a dem.^r and thereupon M.^r Rozer for the defend.^t offering to wave his demurrer then putt in and to putt in a plea or answ.^r it is ordered that the sd dem.^r be overruled without Costs and that the defend.^t do this afternoon putt in such plea or answ.^r as he will stand by.

p. 8
(fol. 8)

The same day Olliver Holloway pl.^t John Homewood Def.^t

M.^r Moorcroft being ready to Shew cause against the last order for Expurging the Scandall with Costs and M.^r Rozer for the

defend.^t waving the same M.^r Moorecroft craves time till the next Court to reply or Except to the sd defend.^{ts} second answ.^r which this Court held reasoneable and doth order the same accordingly. Liber C D

The same day John Bayley pl.^t Raymond Staplefort defend.^t

M.^r Rozer for the pl.^t craves time to till the next Court to Reply or Except to the answer putt in this day by the defend.^t to the plaintiffs Bill which this Court doth ord.^r accordingly

The same day Christopher Rouseby and Eliz.^a his wife plaintiffs John Peirce defendant

M.^r Moorcroft Attorney for the plaintiff prays that an Attachment may Issue out of the Court defendant for an answer but M.^r Notley the defendant side mov that the Bill is a Bill of an extraordinary length and as yett he had had no time to draw the sd defend.^{ts} answer and therefore prayed that he might have time till the next Court to putt in an answer to the pl.^{ts} Bill but M.^r Moorcroft alleadging there was a Suit and not approving that motion so as the plaintiff wou'd Surcease his proceedings at the common Law. It is thereupon ordered by this Court that that the said defend.^t shall have liberty to putt in his answer by the next Court and that an Injunction be awarded against the sd defendant for Stay of his proceedings at Law the plaintiffs he shall perfectly and directly answer the pl.^{ts} Bill and this Court take other order to the Contrary.

Ro. Carville Reg.^r

The Sherriffs Oath

Ye shall Swear that well and truely you shall serve the Lord prōp̄ry in the office of Sheriff of the County of N. & do his Lordships profitts in all that belongeth to you to do by way of your office as far forth as you may or can Ye shall not assent to decrease or lessen nor to Concealment at any of his Lordships rights or of his franchizes and whensoever ye shall have knowledge that his Lordships rights be concealed or withdrawn be it in Lands Rents franchizes or Gifts or any other things ye shall do your true power to make them to be restored to his Lordship again and if ye may not do it ye shall Certify his Lordship or some of his Councill thereof such as ye shall for Certainty know will say it unto his Lordship ye shall not respitt his Lordships Debts for any Gift or favour where you may raise them without great Grievance of the Debtor ye shall truely and righteously treat the people of your Sheerifwick and do right to poor as well as to rich in all that belongeth to your office ye shall do no wrong to any man for a Gift or other behest or promise of goods nor yee shall disturb no mans right ye shall acquitt all those of whom ye shall any thing receive of his Lordships debts ye shall

Liber C D nothing Take whereby his Lordship may loose or that right may be Letten or disturbed or his Lordships debts delayed ye shall truely return and truely Serve his Lordships Writts as far forth as it shall be in your Cunning ye shall not have to be your under Sheriff any of the Sheriffs Clerks of the last year passed ye shall take no Bayliff into your Service but such as yee shall answer for ye shall make each of your Bailiffs make such Oath as yee make yourself in that that belongeth to their Occupa yee shall receive no writts by you or any of yours [unsealed] nor Sealed by any but the Justices of the Chan provinciall or County Courts or such officer as shall authorize Lord prop yee shall make the Bayliff of and [su]fficient men of your Countrey ye shall not let your Sherriffwick or any Bailiwick thereof to perform to any yee shall truely Sett and return reasonable and due Issues of them that be within your Bailiwick after their Estate and Havior and make your pannell yourself of such persons as be most meet most sufficient and not suspected nor procured all these things ye shall well and truely observe and keep so help you God.

p. 9
(fol. 10)

The Inquisition upon the Estate of Simon Oversey at the psecution of Mr. Rozer

Wee whose Names are hereunder written being by Virtue of a Commission from the Governor to M.^r Henry Adams and M.^r Francis Pope directed bearing date the twentieth day of Aprill Anno Domⁱ 1669 Summoned here according to the Tenour of the sd Com.ⁿ to enquire what Lands Simon Oversee dyed Seized of within this County of Charles County and what day he dyed and who is his next heir and the same Inquisition distinctly and speciely made under our hands and Seals to return to the sd M.^r Henry Adams and M.^r Francis Pope by them to be returned to the Honble the Chancellour of this province. Whereupon having enquired therein as much as in us lay we Return the Result of this our inquisition as followeth Vizt.

First we do Return that Simon Oversey dyed possesst of a Thousand Acres of Land on the East side of portobacco Creek which hath since his death been and remained in the possession of Edmond Lindsey and a peice of Land by him demised and lett out to John Caen and at his death in the Tenure and Occupation of the sd John Caen and five hundred and fifty Acres called Rotterdam lying near Nangemoy Indian Town which is all that to any of our knowledge he dyed possesst of.

further we do Return that the sd Simon Oversee dyed in the latter end on february or beginning of March ten years since or thereabouts to the best of our knowledges further that to any of our knowledges the sd Simon Oversey hath not left any heir to whom the Lands should descend and for the further Confermacon of this our Inquisition we have hereunto Sett our hands and Seals as by the sd

Commission we are required this Eight day of June Anno Dom̃ Liber C.D
1669.

Henry Adams
ffranc.^s Pope

Alexand. ^r Simpson	Edmund Lindsey
Archib. ^d Wahob	Thomas Baker
Clem. ^t Theobalds	Jeremy Dickison
Barth. ^o Coates	James Mackey
Jam. ^s Littlepage	John Paine
Robert Robins	Henry Moore

all Sealed

Charles County August the 10.th 1669.

The Inquisition upon the Estate of Sam Smith deed at the psecuōn
of Mr. Robert Slye

This Inquisition taken before us Henry Adams and ffrancis Pope
by Virtue of a Writt to us directed from the Lord prop̃y of the
province of Maryland to enquire of what Lands and Tenements Samuel
Smithe late of Charles County deceased dyed possest of held
of the Lord prop.^r as well in demeanne as in Service and what
day he dyed and what value the Lands were of by the Year and
who was his next heir In obedience to which writt we have made
this following Inquisicōn by the Oath these twelve Subscribed honest
Men of Charles County and under our Seals and the Seales
every of them we do return it.

First we find that Samuel Smith late of Charles County deceased (fol. 11)
dyed possessed of Four hundred Acres of Land lying in Charles
County called Old Spring which Land hath been in the Constant
Tenure and Occupation since the death of the said Smith of one
Robert Downes and that the sd Lands is worth Eight Shilling
Sterling p Acre.

Likewise that M.^r Robert Slye Gen^t was constantly by the sd Smith
called Cozen and was commonly reputed his next heir if he be not
we can find no other and likewise we do find upon our Inquisition
that the sd Smith dyed the fifth or Sixth March in the Year of our
Lord One Thousand Six hundred Sixty and one To the testimony of
the Truth of our Inquisition we have respectively Sett our Seals
the day & year aboves^d (fol. 10
(fol. 11))

Signed Henry Adams
ffranc.^s Pope

Tho: Baker	Robert Clarke
John Chesman	Jacob Peterson
Alex. ^a Simpson	Edm. ^d Lindsey
Alex. ^a White	John Lee
John Stone	William Allen
John Mackey	Rob. ^t Downes

all Sealed

Liber C D Endorsed on the back of the writt thus

The Executor of this writt appears in a certain Inquisition hereunto annexed bearing date the 10.th day of August One Thousand Six hundred Sixty and nine

Henry Adams
francis Pope

Benj^a Powell pe^t Jona Sibrey. .deft: Sher.^f of Talbott

Attach Jonathan Sibrey because he hath not putt in a better answer according to order at the Court of the 4th June 1669 ret. 19 Oct.^r by defend.^t 17.th August 69 at the Suit of Benj.^a Cowell pl.^t a cepi Corpus ret. on the same.

Stone Samuel pl.^t Walter Lane defend.^t the defendant app.^{rs} in person

Tuesday the 16.th day of November 1669 between Sam.^l Stone pl.^t Walter Lane defendant

Upon the defendants humble motion to the Honble the Chancellour that he being served to appear the 15th Instant to answer the pl^{ts} Bill he had appeared according in person but in regard he could not as yett retain and instruct any Attorney to draw and prepare his answer to the said Bill all the Attorneys not already by the plaintiff living at great distance from this Court Therefore he prayed time to Retain an Attorney and putt in his answer. Whereupon it is ordered that the defend^t have time till this day fortnight to putt in his answer or else that an Attachment be awarded against him.

Ro. Carville Reg.^r

A Writt to adjourn the Court

Cæcilius &^{et} To the Sheriff of Saint Maries County Greeting We Command you that all and singular Writts and precepts to you delivered & before us to 19th day of October and by you then to be retur. you detain in your power untill the 14.th of Decem^r next and then you have them before us at our sd prov.^t Court together with the Returns and Executions of the Sa and this writt that we may further to the prosecution of the parties in the same writts as of right we shall think Convenient to be done in this behalf and hereof you are to make publick proclamation in your County that all persons Concerned may keep their day at the said 14.th day of December Wittness ourself at Saint Maries Given under the great Seal of our province of Maryland this fifth of October 1669. Anno 38^o of our dominion

The like Writts Issued out to all other the Sheriffs of the said province.

Munday the 29.th day of November 1669. Between Samuel Stone *Liber C D*
 pl.^t Walter Lane defend.^t

Whereas by an order of the 16.th Instant time was given the
 defend.^t till the day fortnight to putt in his answer to the pl.^{ts} Bill
 or else an Attachment was awarded against him and the defendant
 coming now in person in Court before the hoñble the Chancellour
 and offering a paper in Writing by him prepared and drawn for his
 answer to the said Bill but the same not being put in in forme with
 an Attorneys hand to the same according to the Rule and practice
 of this hoñble Court and M.^r Moorcroft and M.^r Jenifer for the
 pl.^t moving for an Attachment against the sd defend.^t for want
 of an answer his Hon.^r the Chancellour upon the defendants Oath
 that he could not in that time procure an Attorney to be for him
 and desiring his Honour would be pleased to assign him an Attorney
 do the think fitt and so order that M.^r Thomas Notley be attorney
 for the sd defendant and that he have time till the first day of the
 next provinciall Court to putt in his answer to the sd pl.^{ts} Bill and
 in the meantime all proceedings upon the sd attachment are staid.

p. 11
 (fol. 12)

Att a Court held for the Chancery and prov.^l Court
 Begun Tuesday the 14.th december 1669.

Present	The hoñble the Chancellour
	Jerome White Esq
	Baker Brooke Esq
	Tho. ^s Trueman Esq

This day the Hoñble William Calvert Esq was Sworn one of the
 Justices of the provinciall Court and Chancery being next in Com-
 mission to the Hoñble the Chancell.^r and took his place accordingly
 and the same day he also was Sworn chief Judge for probat of
 wills &^{ct}

The same day was Robert Carville Sworn one of the Attorneys
 in the same Court. Upon the Seventeenth day Samuel Chew Esq
 was also Sworn one of the Justices of the said Courts.

Monday the 20.th day of December 1669.

present. The Hoñble the Chancellour Will.^m Calvert Esq
 Jerome White Esq Baker Brooke Esq & Sam^l Chew Esq

These Causes in chanc^y then called

Olliver Holloway pl.^t John Homewood defend.^t

The plaintiff having filed his replication and the defend.^t being
 Served with a Spā to Rejoyn by Robert Carville his attorney
 appeared

Liber C D The same day George Muncowe pl.^t Henry Hyde defend.^t

The pl.^t was ordered last Court to Reply by this Court. No Repliation being filed Carville Attorney of defend.^t moved to have the Bill to stand dismissed for want of prosecution with Costs Ordered that the same do stand dismissed accordingly with Six and forty Shillings and Eight pence Costs to be paid by the pl^t to the sd defendant

The same day Benjamin Cowell pl.^t Jon^a Sibrey defend.^t

A Cepi Corpus returned upon the Attachment paid & for his Contempt for want of an answer and was this day sworn to his answer

The same day John Bayley pl.^t Raymond Staplefort

The plaintiff having putt in his Exceptions to the defendants answer by his attorney prayed the same might be referred to some one of justices to Consider if the answer were sufficient in the Excepted unto or not M.^r Jenifer ꝑ defend.^t prays time till the next Court to amend his answer which is ordered accordingly in the meantime the Injunction formerly granted in this Cause is Continu'd

The same day in another Cause between the same persons

The defend.^t by M.^r Moorecroft his Attorney Craves time till the next Court to put in his answer to the plaintiffs Bill which is ordered accordingly.

The same day the same ag^t: the same in another Cause

The defendant by M.^r Moorecroft his attorney appeared upon the Scire facias for the defend.^t to shew Cause why a partition of the Land therein mentioned should not be granted and for Cause shewed that the first part of the order upon which he of partition was to be grounded was not performed to witt that all Accounts in relation to the Copartnership in the Land should be first audited. Whereupon it is by Consent of all parties pl.^t and defend.^t and their Attorneys in Court ordered that the peticoñ [sic] of the Land should be respited till such time as the said account and it was by the like Consent ordered that it should be referred to M.^r Christopher Rouseby and M.^r Garrette Vansweringen for the plaintiff and M.^r Thomas Dent and M.^r Kenelme Cheseldyne for the defendant to audite all accounts in relation to the said plant and if they could not all meet conveniently about the said then any two of them were to meet conveniently and hear and determine the same if they could provided the two so to meet one of the persons nominated by the plaintiff and the other by the defend.^t as afd and they are to be armed with a speciall Commission for that purpose which they are to speed and Execute

and Certify the Court before the first day of Aprill next this Court Liber C D
reserving the Equity hereof to themselves

The same day Rouseby Chr: & Uxor Pl.^{ts} John Peirce defend.^t

The defendant not having yet answered the plaintiff by M.^r Moorecroft his attorney prays an Attachment and that the formerly granted may be continued till the defendant answer fully the sd plaintiffs Bill clear this Contempt and this Court other order to the Contrary which is ordered accordingly

The same day Long John Con Baker William and Elizabeth Storey Two Causes.

The plaintiff filed a general Replication this Court and the defend^{ts} by their Attorney appeared to Rejoyne

The same day John Halfelt pl.^t Joseph Edloe Defend.^t was read the affidavit following John Hunt make the Oath that upon the 14.th day of July he delivered to Henry Coursey Esq a Subpœna Seal of this Hon^{ble} Court whereby the said Henry was in Chancery without delay to Justifye on the behalf the defendant and on the 15.th of the same month he delive another Subpœna to one John Barnes for the same purpose thereupon Carville for the defendant moved that in regard the defendant could not as yett procure them to be examined may be stayed till the next Court by which time the defendant would Endeavour to procure them to be Examined which this Court held reasonable and doth order the same accordingly.

The same day Samuel Stone pl.^t Walter Lane defend.^t

The defendant by Thomas Carleton his Attorney appears and prays further time to putt in his answer The Court thereupon gave him time till tomorrow morning to putt in the same

The same day James Stracklady pl.^t John Edmondson defend.^t

The defendant appears by Robert Carville his Attorney and prays time till the next Court to putt in his answer which is granted accordingly.

The same day John Bloomfield pl.^t Luke Gardner defend.^t

The Matter upon the Scire facias upon which the defendant did appear and was to shew Cause why the pattent therein mentioned should not be vacated is by this Court order to be respited till the next Court.

The same day John Robinson pl.^t Benj.^a Rozer defend.^t

The defendant by M.^r Moorecroft his Attorney appears and prays time till the next Court to putt in his answer which is ordered accordingly.

Liber C D

Tuesday the 21.st day of December 1669.

Present as before

Samuel Stone pl.^t Walter Lane defend.^t

Carleton for the defendant moves for a fortnights Longer time to answer the plaintiffs Bill Whereupon the Attorneys for the pl.^t moved the Court for Costs for the defendant so long delay the Bill being filed 15.th November and the defendant then appeared and yet no answer whereupon it is ordered that the said parties do attend the Honble the Chancellour upon the 4.th day of January next and then the defend.^t is to putt in his answer and to pay unto the plaintiff forty Shillings Cost

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(fol. 14)

Cliffton & Green Hambleton Affidavit

The Deposition of William Hambleton aged 33 years or thereabouts Sworn and Examined before Henry Coursey Esq. Saith that in the year 1657 or thereabouts the deponant lived at Capt. Giles Brents in potomack River dureing the time of Nine or Ten Months or thereabouts to the best of your deponants knowledge and during the time of your deponants abode there there lived one William Green a Carpenter and his wife which Green did hire himself to Capt Brent some certain time how long your deponant knoweth not but presently before he was hired to Capt Brent or presently after the said Greene lived at a house of his own near unto Capt Brent upon a peice of Land which Capt Brent had either lett him or sold him it happened so that to the best of your deponants knowledge that the said William Greene did kill a Barrow Hogg belonging to Capt. Giles Brent as he himself did confess to the best of your deponants knowledge and so it was that a small time after he had killed the Hogg the said Green came to Capt Brent and desired him not to trouble him and he would make him honest payment for the Hogg this discourse your Deponant did not at that time hear but your deponant to the best of his knowledge did hear the

agreement Capt Brent and William Green
your deponant well remember this is true to the best of
your De knowledge and remembrance and further saith
not

W.^m Hamble

This was Sworn before me this }
22^d day of December 1669 } Henry Coursey

There being some Controversy between James Clifton of Stafford County in the Collony of Virginia Gent. and William Greene to which the said Affidavit had relation The Honble the Chancellour did at the request of the said M.^r Cliffton cause the Tenour of the Record of the said affidavit to be made known under his hand & the lesser Seal of this province thereto affixed the 4.th day of January in the 38th of Cæcilius &.^c

Tuesday the fourth day of January 1669.

Liber C D

Present. The Chancellor.

Samuel Stone plt. Walter Lane defend.^t

The defendant and his said Attorney appeared and the defendant was then Sworn to his answer and paid the pl.^{ts} Costs Whereupon and in regard the matter in Controversy was between M.^r and Merchant and that the spending of Time in delays in this Suit would tend very much to the prejudice of both parties. Ordered by his Honour that the plaintiff should Reply or Except to the said answer by ffriday next.

Friday the 7.th January

Present the Chancellour

Will^m Calvert Esq Jerome White Esq.

The plaintiff having filed Exceptions to the sd Defendants answer upon arguing of the said Exceptions by the Attorneys on both sides his Honour the Chancellor did think it fit that the sd Defendant should amend his answer in most of the points Excepted and doth therefore order that the sd Defendant do putt in a better Answer by Monday next.

On Munday the 10.th day of Jan'y 1669 the defend.^t was Sworn to a Second answ.^r & the pl.^t is by the Chancell.^r ordered to reply forthwith

Att a Court Holden for the Chancery and provinciall
Court Begun the twelfth day of february Anno Dom 1669.

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(fol. 15)

Present The Hoⁿble the Chancellor

William Calvert Esq Baker Brooke Esq

Jerome White Esq Thomas Trueman Esq

Olliver Holloway pl.^t John Homewood defend.^t

Ordered by the Court that the plaintiff do examine his Wittnesses by the next Court and then speed his Cause to hearing.

Benjamin Cowell pl.^t Jonathan Sybrey defend.^t

Upon the motion of M.^r Rozier for the defendant ordered that publication be Stayed till the last day of this Court at which Time it is to pass and the plaintiff is at Liberty to Sett down his Cause to be heard the next Court if he shall see cause.

Liber C D John Bailey pl.^t Raymond Staple^t defend.^t

Time given till the next Court for the defendant to putt his answer to the plaintiffs Bill.

between the sd parties being in difference all proceedings between them are staid.

(fol. 16) Christopher Rouseby and his wife pl.^t John Peirce defend.^t

The defendant putt in an answer this Court and ordered that he pay his Contempt money being 12.^s 6^d and in the meantime the Injunction formerly granted is continued

John Long pl.^t against William Baker defend.^t and the said John Long pl.^t against the said William & Eliz.^a Storey Defend.^{ts}

Ordered by the Court that both parties do proceed to Examine their witnesses by the next Court and for that purpose either party are at liberty to take out a Commission if they shall see Cause

John Halfelt pl.^t Joseph Edloe defend.^t

Ordered that publication be staid till the next Court.

Samuel Stone pl.^t Walter Lane defend.^t

It is this day by and with the Consent of both parties plt. and defendant and their Attorneys in Court ordered that all matters in difference between the sd parties be referred to the finall order Award and Determination of M.^r Thomas Dent and M.^r William Pescadd nominated for the plaintiff and M.^r Gilbert Jones and M.^r Robert Nicholas nominated for the defendant and the said Arbitrators are to be armed with a Commission to Examine Witnesses returnable without delay and what order or Award they or any two of them whereof the sd Dent or Pescadd to be one for the plaintiff and Jones or Nicholas to be one for the defendant is to be binding and Conclusive to all parties without any appeal from the same or repeal thereof

John Blomfield pl.^t Luke Gardiner defend.^t

The determination of this Cause is by Consent respited till the next Court

John Robinson pl.^t Benjamin Rozer defend.^t

The defendant moved for further time till the next Court to putt in his answer to the pl.^{ts} Bill which is ordered Accordingly.

John Bailey Pl.^t James Neale defend.^t et c Contra

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(fol. 16)

Time is given to the Defendants in both Causes to answer against the next Court

Thomas ffisher Adm.^r of Rich.^d Attkins pl.^t Edward Keene defend.^t

The defendant putt in his answer to the pl.^{ts} Bill ordered that the plaintiff do reply or except in a fortnight The pl.^t putt in Exceptions and the defendant was Sworn to a second and better answer. Liber C D

John Grammer pl.^t John Brooke defend.^t

The plaintiff having given Security by Recognizance in 40[£] Sterling and W.^m Muffett in 20[£] Sterling a writt of Error Issued out to the Comm.^{rs} of Calvert County Court.

Rouseby pl.^t Edmondson defend.^t

Time given to the defendant till the next Court in his answer to the plaintiffs Bill

John Willson pl.^t Zachariah Cook and others defend.^{ts} (fol. 17)

The defendants being Sworn to their answer. Ordered the plaintiff do reply or except in a fortnight and Examine his witnesses to proceed and speed his cause for hearing.

John Currer pl.^t John Wright defend.^t

Time given to the defendant till the next Court to putt in his answer to the plaintiffs Bill

Att a Court held for the Chancery and provinciall Court.
Begun on Tuesday the 12.th day of April xxxviiith Cæcilius
&^{ct} Annoq dom 1670. and Continued till ffriday the 15.th

Were present. . The Honble the Chancellor William Calvert Esq Jerome White Esq Baker Brooke Esq and Thomas Trueman Esq

Oliver Holloway pl.^t John Homewood defend.^t

The plaintiff is to bring defend.^{ts} his cause to hearing the next Court

Benjamin Cowell pl.^t Jonathan Sybrey defend.^t

This Cause standing in the paper of Causes to be heard this day in the presence of the attorneys on both sides upon reading of the defendants plea and the proofs taken in the Cause and hearing of what could be alleadged on either side saw no Cause in Equity to give the Compl^t any Relief in Equity against the Release pleaded and doth therefore order that the matters of the sd Compl.^{ts} Bill do from henceforth hereby stand fully and absolutely dismissed out of this Court with one Thousand pounds of good sound and merchantable Tobacco and Cask to be paid by Master Morecroft Attorney for the pl.^t to the said defendant or his order in respect of the said dismission

Liber C D
(fol. 18)

John Bailey Pl.^t Raymond Staplefort defendant

There being Three severall Suites depending in this Court between the sd parties. the matters in difference were by an order of this Court made in December Court last referred and the Referees and both parties having severall times mett about Composing the matters and it was at last agreed between them that for the finall Ending of all Controversies they should give each other generall Releases & both parties being now present in Court the pl.^t offered himself willing to Execute a Release to the defend.^t if the defend.^t would do the same to him Whereupon the defend.^t Craved time till the next Court to Sign the Release which was granted him accordingly and in the mean time all proceedings between them in any Causes are stayed

p. 16
(fol. 18)

Chris.^r Rouseby and Eliz.^a his wife pl.^{ts} John Peirce defendant.

It was alleadged that the defendant had putt in his answer to the plaintiffs Bill but the answer being very long and consisting of accounts with the plaintiff by reason of his publick Employment as sheriff could not intend and the defendant not having paid his Contempt Money it was prayed that the pl.^{ts} may have time till the next Court to reply or Except. to the said answer which is ordered accordingly and in the mean Time the Injunction is Continued

John Long pl.^t Will.^m Baker and Eliz.^a Storey defend.^t Two Causes

Ordered the plaintiff have time till the next Court to Examine his Witnesses

John Halfett pl.^t Joseph Edloe defend.^t

Ordered that publication be Stayed till the next Court and in the mean time the defendant is to procure M^r Coursey to be Examined if he can

John Robinson pl.^t Benj.^a Rozer and Thomas Sprigg defend.^{ts}

The defend.^{ts} Crave further Time till the next Court to putt in their answers to the plaintiffs Bill and the same is granted accordingly

John Bailey Pl.^t James Neale defend.^t et c Contra.

The defendants in both causes being to answer the Court the defendant Neale Craved time a month longer to answer the plaintiffs Bill which was ordered accordingly

(fol. 19)

[John Willson] pl.^t Zach[ariah Cook] & Abraham Hughes and others [defend.^{ts}]

The parties pl.^t and defend.^{ts} having replied and appeared to Rejoyne Gratio the Cause by Consent came to be heard this day in the presence of them and their Attorneys on both sides and upon

hearing and debating thereof upon reading of the defendants answer and the Bill of Ladeing and the same being seriously Viewed and considered by the Court together with the proofs taken in their Cause and hearing of what would be alleadged on either side This Court was all clearly satisfied that the sd Bill of Ladeing was altered since the first signing thereof and that the name Mathew Steele with the mark M. S. in the Margent with other Letters and words in the s.^d bill of Ladeing were since added and written with a different Ink nor was there any Copartnership between the Complainant and Steele or anything appeared by proofs and it appearing that by an order of the provinciall Court of this province of which the defendants had notice the defend^{ts} were ordered not to deliver their Servants or goods to the said Steele but to the said Willson the Compl.^t and that contrary to the said order the said Cooke and Hughes had Sent them away out of the Jurisdiction of this province It is therefore ordered and decreed that the sd Compl^t John Willson do pay unto the sd Zachariah Cooke and Abraham Hughes the Merchant and Husband and Master of the sd Ship the full freight due for the said Servants and goods according to the agreement between him and Cook in Barbadoes with what other Charges is due to the said Cooke or Hughes for Necessaryes and Cloaths for him the Compl^t and his said Servant And it is further ordered and decreed that the sd Zachariah Cooke and Abraham Hughes do pay and satisfy to the sd Compl^t. Willson the full price for the said Servants & goods with reaseonable Costs Charges of Suit all to be Computed and allowed by this Court and both parties being now present in Court and offering their Account on both sides the Court having seriously perused and Considered thereof do find upon the Ballance thereof the said Zachariah Cooke and Abraham Hughes to be indebted to the Compl^t John Willson all their just demands deducted and allowances made to the Compl.^t for his Costs of Suits the Sume of Twenty Six Thousand nine hundred and twelve pounds of good sound and merchtable Tobacco and Cask which said Sume of Twenty Six Thousand Nine hundred and Twelve pounds of Tobacco the defend.^{ts} Cook and Hughes are ordered and decreed to pay unto the Compl^t John Willson Accordingly.

p. 17
(fol. 19)

The defendants craved further time to answer against next Court (fol. 20) and the same is so ordered.

John Brookes plt. Richard Tilghman defend.^t
Mem.^m The plt is Nich.^s Brookes.

The like is ordered at the request of the defendant and an Injunction till answer

Liber C D Abraham Tausey & als. pl.^{ts} Jacob Clause als. Young defend.^{ts}
The like ordered for the defendant

Toby Wells plt. John Wright defend.^t
The like ordered for the defendan t

The Court adjourned till October Court

10 June 1670.

Joseph Edloc plt. John Halfett defend.^t

Upon the pl.^{ts} humble petition exhibited to the Honble the Chancellor for the reasons therein Contained it is ordered that a Subpœna be awarded against the sd defend.^t returneable without delay

25 June 1670.

John Bailey plt. James Neale defend.^t

Upon Motion made to the Honble the Chancellour by the defendants Attorney who prayed further time to answer it is ordered that the defend.^t do peremptorily putt in his answer to the pl.^{ts} Bill by the first day of August next or else an Attachment is to Issue for want thereof

Primo Augusti 1670.

John Bailey pl.^t James Neale defend.^t

James Neale appeared before the Honble the Chancellour ready to answer but his Attorney having been sick and so continuieing at that day he could not putt in his answ.^r according to the former order and Tendering Costs to the plaintiff Bailey Craved time till the first of September next to answer which with the Consent of the said Bailey and his Attorney then present was accordingly ordered the said Neale paying the sd Costs before the Answer be admitted.

Recognizance inter Carelton & Perry

(fol. 21) Bee it Remembered that this present day came before me Phillip Calvert Esq one of the deputy Governours and Chancellor of the province of Maryland under the right Honble Cæcilius absolute Lord and propry thereof Lord Baron of Balt. &c Thomas Carleton of patuxent River in Calvert County in the sd province Gent. and acknowledged himself to Owe and stand indebted to Richard Perry of the same Merchant the full and just Summe or quantity of forty Eight Thousand pounds of good sound and merchtable Tobacco and Cask to be paid to the said Richard Perry his Executors Adminis.^{ts} or assignes upon all demands and unless that he the said Thomas Carleton shall so do he doth hereby for himself his heirs Executors and Adminis.^{ts} grant that the said Summe or quantity of forty Eight Thousand pounds of Tobacco shall be Leavied and recovered of the

goods and Chattells Lands Tenements and hereditaments of him the
sd Thomas Carleton his heirs Executors and assignes wheresoever
they shall be found to the use of the said Richard Perry his Executors
Adminis:^{rs} or assignes In Testimony whereof I the said Phillip
Calvert have hereunto sett my hand and Seal dated at Saint Maries
this first day of August in the nine and thirtieth year of the
dominion of Cæcilius &c:^t Annoꝝ Doñ. 1670.

Liber CD
p. 18
(fol. 21)

The Condition of this Recognizance is such that if the above
bounden Thomas Carleton his heirs Executors Administrators or
assignes or any of them do and shall from time to time and at all
times hereafter well and sufficiently keep and Save harmless and
indemnified the above named Richard Perry his heirs Executors &
Administrators of from for and concerning two severall penall
Bonds or Obligations bearing date the Six and twentieth day of
July last past wherein the said Richard Perry at the request and
for the proper debt of the sd Thomas Carleton is and standeth
bound with him the said Thomas unto Christopher Rouseby of
Calvert County Merchant in the severall Sums or quantitys of
Twelve Thousand pounds of Tobacco apeice the first payment to
be made at or upon the tenth day of October next ensuing the date
of the said severall Bonds and the other payment to be made at or
upon the tenth day of October which shall be in the Year of our
Lord One Thousand Six hundred Seventy and one and of and from
all Actions Suits, Arrests, Costs Charges damages and demands
whatsoever concerning the premises without fraud or Covin that
then this present Recognizance to be Void and of none Effect or
else to stand Remain and be in full force power and Virtue

Phillip Calvert Canc.

Enrolled and Entred Eodem die.

Ad Quod Damnum Richard Perry & Daniel Jenifer

Cæcilius absolute Lord and proꝑry of the provinces of Maryland
and Avalon Lord Baron of Baltimore &c:^t To the Sheriff of Calvert
County Greeting We Command you that by the Oaths of Twelve
honest and lawfull men of thy County by whom the truth of the
matter may be better known diligently thou Enquire if it be to the
damage of us or others if we grant to Richard Perry of patuxent
Merchant and Daniel Jenifer of Saint Maries Gent. Ten Acres of
Land lying in the Resurrection Mannor in the said County of Calvert
on each side of the Run of Water there running into the back Creek
in patuxent River with Liberty and Lycense thereon to Sett a Water
Mill as also Liberty to take fall Cutt down and Carry away either
by Land or Water any wood or Timber fitt for building of a Mill
other than Board Timber fitt to Splitt to Clapboard upon any the
Lands next adjoining to the Ten Acres of Land lying on each side
of the Run of Water running into the back Creek in the Resurrection
Mannor afd any if it be to the damage of us or others then to what

(fol. 22)

Liber CD damage and what prejudice of us and to what damage and prejudice of others and of whom and in what manner and how and of who or of whom the said Ten Acres of Land are holden and by what Service and in what manner and how and of what Value they are by the Year according to the true Value of them now before any further Improvement made of the said Ten Acres and who are the present possessors of the said Ten Acres and who and how many are the Measures between us and the present possessors, of the said Ten Acres and what Lands or Tenements Remain to the present possessors over the said Ten Acres and if the Lands remaining to the present possessors over the said Ten Acres will suffice to uphold their Mannor Viz.^{p. 19} The Sixth part of the Mannor allotted by the Conditions of plantation for the Demeasnes as before the alienacon for building of a Mill and that the said possessors in Assizes Jurys and Recognitions may be putt as before the Alienacion so that the County by the Alienacion and in default of the present possessors more than was wont be not charged and grieved and the Inquisition thereupon openly and distinctly made to us in our Chancery under thy Seal and the Seals of them by whom it was made without delay thou send Wittness our Self at Saint Maries the four and twentieth day of March in the Eight and Thirtieth Year of our dominion over our said province Annoque Domini: 1669 (fol. 22)

Inquisition Indee

An Inquisition Indented taken at the Resurrection Mannor in Calvert County the first day of Aprill in the Eight and Thirtieth Year of the dominion of Cæcilius &c Annoq dom 1670 before Christopher Rouseby Sheriff of the same County by the Oaths of Thomas Carleton Robert Tyler Richard Bayley William King William Innis Andrew Robinson Jonathan Prater Peter Joy Charles Bird Cuthbert Fenwicke John Hanning and Phillip Boggas who say upon their Oaths as followeth That is to Say that it is not to the damage of the Lord propriety in any manner to grant unto Richard perry and Daniel Jenifer in the writt named Ten Acres of Land in Resurrection Mannor in the County and on each side of the Run of water there running into the back Creek in patuxent River with liberty and License thereon to sett a Water Mill as also to fell Cutt down and Carry away either by Land or Water any wood or Timber fitt for building of a mill other than Timber fitt to Splitt into Clapboard upon any the Land next adjoyning to the said Ten Acres of Land lying on each side of the Run before Expressed.

Item. They say that is to the damage of Thomas Sprigg Gent. only the Value of five Acres of Land which they find to the Value of Ten Shillings & Six pence Sterling.

Item. They say that is to the damage of the heir or heirs of John Bateman Esq decd only the Value of five Acres of Land which they find to be ten Shillings and Six pence Sterling

Item. They say that the said Ten Acres lye as followeth Viz^t Liber C D
Five Acres on the South side of the afd Run which is in the possession
of Thomas Sprigg afd and is of the yearly Value at this present
without further Improvement of One Shilling and Six pence Sterling
and is held by the said Sprigg to him and his heirs with other Lands
by Virtue of a Grant from Thomas Cornwallis Esq and is part of
the said Mannor of Resurrection

Item. They Say that the other five Acres doth lye on the North
side of the afd Run and is of the clear yearly Value without further
Improvement of One Shilling & Six pence Sterling and is in the
present possession of Richard Perry in the Writt named in Trust
for the heir of the afd John Bateman deceased which is also part
of the said Mannor of Resurrection and held with other Lands of
and belonging to the said Mannor.

Item. They Say that is not to the damage of any o person or
persons whatsoever.

Item. They say that there is but one Measne between the Lord
propry and the present possessor of five sd Ten Acres to witt p. 20
the heirs of the said John Bateman who is Lord or Lady of the (fol. 24)
said Mannor of Resurrection and in whose right the said Richard
Perry doth hold the other five Acres as afd.

Item. They say that the said Mannor of Resurrection was pur-
chased by the sd John Bateman of Thomas Cornwallis Esq who
held the same to him and his heirs by pattent from the right honble
the Lord propry as of his Honour [sic] of West Saint Maries in free
and common Soccage.

Item. They Say that there is remaining sufficient in the possession
of the said Richard Perry in right of the said heir of John Bateman
afd deceased over and above the said Ten Acres to uphold the
Mannor according to Articles of plantacon Viz^t one Sixth part for
Demesnes

Item. They Say that all possessors of the said Ten Acres or any
part thereof after the said alienacon for building of a Mill may be
putt as before the sd alienacon and that the County will not thereby
be Charged or grieved more then was wont. In Wittness whereof
the Jurors before mentioned have hereunto affixed their Seals the
day and Year above written Subscribed and Sealed

Jonathan **Z** Prater

Peter Joye

Charles **S** Bird

Cuthbert Fenwicke

John **H** Henning

Phillip Baggas

Tho^s Carleton

Robert Tyler

Richard Bayley

William King

William Jones

Andrew **R** Robinson

Chr. Rouseby Sher.

fully and at large the same doth and may appear. In pursuance of which Act Richard Perry of patuxent River in our County of Calvert Merchant and Daniel Jenifer of of S.^t Gent did purchase ancery our sd Writt accordingly to in the said Act sett down bearing date the four and two day of March in the Eight and thirtieth Year of our sd do directed to our Sheriff of Calvert County commanding him by the Oaths of Twelve honest and lawfull men of his Bailiwick diligently to Enquire if it were to the damage of us or others if we granted to Richard Perry and Daniel Jenifer Ten Acres of Land lying in the Resurrection Mannor in the said County of Calvert on each side of the Run of water there running into the back Creek in patuxent River with Liberty and Licence as afd and how and of whom the said Land was holden and of what value they were by the Year according to the true Value of them without any further Improvem.^t thereof made and the Inquisition thereupon taken to return to us unto our said Court of Chancery without delay under his Seal and the Seals of them by whom it was made. By Virtue of which Writt our sd Sheriff did return his Inquisition Indented into our sd Court of Chancery being duely taken the fifth day of Aprill in the said Eight and Thirtieth Year of our dominion whereby the Jurors upon their Oaths found that it was to the damage of Thomas Sprigge Gent. only the Value of five Acres of Land which they found to the Summe of Ten Shillings and Six pence Sterling and to the damage of the heir or heirs of John Bateman Esq^r deceased only the Value of five Acres of Land which they also found to be Ten Shillings and Six pence Sterling if we should grant to the sd Richard and Daniel Ten Acres of Land lying on each side the said Run of Water afd the sd Ten Acres lying as followeth Viz^t five Acres on the South side of the sd Run in the possession of the said Thomas Sprigg and was then of the yearly Value only of one Shilling Six pence Sterling and was part of the sd resurrection Mannor and the other five Acres on the North side of the said Run and was then of the like yearly Value and part of the said Mannor and in the possession of the sd Richard Perry in trust for the heirs of the sd John Bateman as by the said Writt and Inquisition also remaining upon record in our sd Court of Chancery more at large may appear and whereas the sd Thomas Sprigge & Mary Bateman the heir of the said John Bateman being an Infant under the age of one and twenty years have denied and refused to Build a Mill upon the premises or to give Security as afd and the said Richard and Daniel have given us sufficient Caution to build a Water Mill upon the Run of water afd and the same to Compleat and finish by the time Limited in and by the said Act of generall Assembly according to the true Intent and meaning thereof. Now know yee that we for the Considerations afd and for and in Consideration of the Rents and Services hereafter in this our Grant reserved have de-

p. 22
(fol. 26)

Liber C D mised granted and to farm lett and by these presents do demise grant lett and to farm lett unto the said Richard perry and Daniel Jenifer their Executors Adminis^{rs} and assignes one parcell of Land Containing five Acres on the South side of the Run of Water running into the back Creek in the Resurrection Mannor in patuxent River in Calvert County afd now in the possession of the said Thomas Sprigg as also one other parcell of Land Containing five Acres more Lying on the North side of the said Run of Water running unto the back Creek afd now in the possession of the said Richard Perry with Liberty and Lycense on the said parcells of Land or either of them to Sett a Water Mill with free Egress and Regress to the said Water Mill either by Land through any mans Land next adjacent or else by water together with Liberty to fell Cutt down and Carry away by Land or Water any wood or Timber fitt for building of a Mill other than Timber fitt to Splitt or Cleave into Clapboard upon any Land next adjoyning to the said Ten Acres of Land lying on the South and North side of the Run afd according to the true Intent of the said Act To have and to hold the said Ten Acres of Land unto them the said Richard Perry and Daniel Jenifer their Executors Administrators and assignes from the day of the date of these presents unto the full end and Term of fourscore years from thence next Ensueing fully to be compleat and Ended. Yeilding and paying therefore yearly and every year during the said Term at the feast of Saint Michael the Archangell to eac of them the sd Thomas Sprigge and Mary Bateman their heirs Executors Administrators or assignes the severall Sums of one Shilling and Six pence of lawfull money of England Which said Grant of the said premises we do for us and our heirs and Successors will and Grant shall remain to be good and availeable in Law to the said Richard Perry & Daniel Jenifer their Executors Administrators and assignes for and dureing the Term afd against the said Thomas Sprigge and Mary Bateman and their heirs & assignes all and every other person and persons whatsoever any Law or Custom had or used in this province to the contrary notwithstanding. Given under the great Seal of our sd province of Maryland. Witness our self at our said City of Saint Maries this twelfth day of August in the nine & thirtieth year of our dominion over our sd province Annoq dom One Thousand Six hundred and Seventy

(fol. 27)

Enrolled and Entred 5:^o Septembrio 1670.

Phillip Calvert

p. 23 A Deed between John Pitt & John Edmondson and Joseph Soane Gent. {The Guinney Plantation}

This Indenture made the five and twentieth day of August in the Eight and thirtieth Year of the Dominion of Cæcilius absolute Lord

and prōp̄ry of the prov^s of Maryland and Avalon Lord Baron of
 Baltimore Between John Pitt of Talbott County in the province
 of Maryland Merchant and John Edmondson of the same County
 Merchant of the one part and Joseph Soane of Dorchester County
 in the same province Gent of the other party. Wittneseth that the
 sd John Pitt and John Edmondson for and in Consideration of the
 Sume or quantity of Two Thousand pounds of Tobacco to them in
 hand by the said Joseph Soane the Receipt whereof they the said
 John Pitt and John Edmondson to hereby acknowledge and do for
 them their heirs Executors and Administrators forever acquitt
 Exonerate and discharge him the said Joseph Soane his Executors
 & Adm:^{rs} by these presents have given granted aliened Bargained
 and Sold and by these presents doth give grant aliene Bargain and
 Sell unto the said Joseph Soane his heirs and assignes All that part
 and parcell of Land called the Guinney plantation lying and being
 in Talbott County on the South side of great Choptanck River.
 Beginning at a marked Oak standing upon a point and running down
 the River North West by West One hundred perches down the
 River to a marked pine being a bounded Tree of a parcell of Land
 called Sarke bounded on the West and South Lines by the Land
 called Sarkeland, and the Line of a parc.^l of Land called Gotam
 formerly laid out for ffrancis Armstrong to a Bay formerly called
 Todds Bay on the East by the said Bay One hundred perches unto
 the first marked Oak upon the point Containing and now laid out (fol. 28)
 for One hundred Acres more or less wth all Lands Tenements,
 Hereditaments and appurtenances to the same belonging Together
 with the Reversion and Reversions remainder and Remainders of
 every of them and all Rents reserved upon the same and all his Estate
 right Title and Interest thereunto together also with all and singular
 pattennts Grants Evidences, Deeds, Escripts and writings whatsover
 to the same belonging or concerning To have and to hold the said
 Tenements hereditaments & premises unto the said Joseph Soane
 his heirs and assignes forever And the said John Edmondson and
 John Pitt do for themselves their heirs Executors and Adminis:^{rs}
 Covenant promise Grant and agree to and with the said Joseph
 Soane his heirs & assignes that they said John Pitt and John Ed-
 mondson at the time of the Ensealing and delivery hereof are
 seized of the premises of a good and indefeazeable Estate of In-
 heritance and that they have full power and legall authority to grant
 & Convey the same or any part thereof to Joseph Soane and his heirs
 And the said John Edmondson and John Pitt do further for them-
 selves their heirs Executors and Adminis:^{rs} Covenant and agree
 with the said Joseph Soane his heirs & assignes that the before
 mentioned to be bargained premises and every of them are & shall
 Continue freely and clearly acquitted Exonerated and discharged
 of and from all former Bargains Sales Joyntures Dowers or right

Liber CD of Dower gifts Grants and other Incumbrances whatsoever and that they the sd John Edmondson and John Pitt the said Lands and premises unto him the said Joseph Soane his heirs & assignes against themselves and all Claiming by from or under them will forever hereafter Warrant and defend the Rents and Services due and payable to the Lord and Lords of the ffee of the premises always Excepted and foreprized And lastly the said John Pitt and John Edmondson do further for themselves, their heirs Executors and Adminis:^{rs} Covenant promise grant and agree to and with the said

p. 24
(fol. 28) Joseph Soane his heirs and assignes that they the said John Pitt and John Edmondson shall and will and at all times hereafter dureing the Space of Seven years at the reasonable request and charges in the Law of him the said Joseph Soane his heirs or assignes make do Execute and Suffer or cause to be made done Executed or suffered any other lawfull Act or Acts thing or things Conveyance or Conveyances in the Law for the better assuring and sure making of the of the premises to the said Joseph Soane his heirs or assignes be it by Enrollment of the premises fine Testment or otherwise as by the said Joseph Soane his heirs or assignes his or their Councill learned in the Laws shall be reasonably devised and required In Wittness whereof the said parties have hereunto interchangeably sett to their hands and Seals the day and Year above written

Signed John Pitt
John Edmondson

Sealed and delivered in the presence of

Phillip Calvert Ro Carvile

Enrolled and Entred this 7.^o November 1670

Phillip Calvert

A Deed between Jn^o Edmondson and Joseph Sone for Out Range & Gotam

This Indenture made the five and twentieth day of August in the Eight and thirtieth Year of the dominion of Cæcilius absolute Lord and prôpry of the provinces of Maryland and Avalon Lord Baron of Baltemo &c^t Between John Edmondson of the County of Talbott County in the province of Maryland Merch^t of the one party and Joseph Soane of Dorchester County in the Same province Gent of the other party Wittnesseth that the said John Edmondson for and in Consideration of the two severall Sums or quantitys of Thirteen Thousand pounds and Two Thousand pounds of Tobacco to him in hand paid before the Ensealing and delivery of hereof by the said Joseph Soane and whereof and wherewith the said John Edmondson both acknowledge himself satisfied Contented and paid and thereof and of every part and parcell thereof doth acquitt and discharge the said Joseph Soane his heirs Executors and Adminis:^{rs} by these presents and for divers other good and valueable Considerations

Liber C D

him thereunto especially moving hath given granted aliened Bargained and Sold and by these presents doth give grant Aliene Bargain and Sell unto the said Joseph Soane his heirs and assigns forever all that part and parcell of Land called Outrange lying in Talbott County aforesd in great Choptanck River in a Creek called Bowling Creek at the head of the Creek Beginning at the Southermost corner Tree of a parcell of Land formerly laid out for Thomas Clarke in this province and bounded on the North for breadth with the said Clarke's Land and with a parcell of Land laid out for Robert Blinkhorne in this province for the length of Five hundred perches bounded on the East for length from the end of the afd Line South and by East Three hundred and twenty perches on the South from the end of the former Line drawn West and by South five hundred perches bounded on the West by a Line drawn from the end of the afd Line North and by West Three hundred and twenty perches untill it intersect with the afd Clarks Land lying bounded on the North with the said Land Containing and now laid out for One Thousand Acres be the same more or less And also all that parcell of Land called Gotam lying in Dorchester County on the South side of Choptank River in a Bay called Todds Bay Beginning with a marked Cædar and running for breadth West North West Seventy five pches to a marked Locust untill it Intersect a paralell drawn from a branch of Todd's Bay on the East by Todd's bay & the branch unto the first marked Cædar on the west by the first Northwest Line Containing and now laid out for one hundred and fifty acres, And all Tenements, Hereditam.^{ts} and appurtenances whatsoever to the Same Lands and premisses belonging and appertaining and the Reversion and Reversions, Remainder & Remainders of Every of them & all Rents Reserved upon the Same & all his Estate Right & Title thereunto Together with all and Singular Patents, Grants, Evidences, Deeds, Escripts and writings whatsoever concerning the Same, To have and to hold the s.^d Severall & Respective Lands, Tenements, hereditaments and premisses unto him the S^d Joseph Sone his heirs & assigns for Ever, And the Said Joseph Edmondson doth for himself his heirs Executors & Administrators, Covenant & Grant to & with the said Joseph Sone his heirs and assigns by these presents in manner and form following, That is to say that he the s.^d John Edmundson at the time of the Sealing and delivery hereof is and Standeth Seized in ffee of the premisses and hath Good Right and Lawfull Authority to Sell and Convey the Same unto the s.^d Joseph Sone And the said John Edmundson doth also further for himself his heirs Executors & Administrators Covenant and agree with the s.^d Joseph Sone his heirs and assigns that the Said Lands and premisses before Bargained and Sold by these presents and every part thereof are Clearly and freely acquitted Exonerated and discharged or otherwise upon Request Shall be Clearly & freely acquitted

p. 25
(fol. 30)

Liber CD Exonorated & disch.^d of all and all manner of former bargains Sales, Joyntures, Dowers or Right of Dowers, Gifts Grants & other Incumbrances whatsoever and that he the said John Edmundson, the Said Lands and premisses unto him the Said Joseph Sone his
 (fol. 32) heirs and assigns against himself & all & all manner of person or persons claiming by from or under him will for ever hereafter warrant and defend, the Rents & Services hereafter to be due and payable to the Lord or Lords of the ffee thereof allways Excepted & foreprised, And the s.^d John Edmundson doth further for himself his heirs Executo.^{rs} & Adm.^{rs} Covenant & Grant to & with the s.^d Joseph Sone his heirs & Assigns that he the s.^d John Edmondson shall & will at all times hereafter during the Space of Seven Years, at the reasonable request & proper Cost & Charges in the Law of the s.^d Joseph Sone his heirs and assigns, make, do, Execute & Suffer or Cause to be made, done Executed & Suffered, all & Every Such other Lawfull Act & Acts thing & things, Conveyance & Conveyances in the Law for the better assureing & Sure makeing the premisses to the s.^d Joseph Sone & his heirs be it by Inrollment, fine, ffeoffment or otherwise as by the Said Joseph Sone his heirs or assigns or his or their Councill Learned in the Law Shall be reasonably Devised or Required, And Lastly the s.^d John Edmundson doth further for himself his heirs Executors and Administrators firmly by these presents that if it shall happen at any time within
 p. 26
 (fol. 32) Seven years after the dates hereof of the s.^d Land and premisses before Recited and mentioned to Contain one thousand acres Shall by any Survey within the time before Limited to be made, happen to fall Short of the Said Quantity of one thousand acres as is above mentioned and Expressed he the s.^d John Edmundson his, heirs Executors or administrators or Some of them shall & will well and truly pay or Cause to be paid to the said Joseph Sone his heirs and assigns for every one hundred acres So falling Short the Sume or Quantity of Thirteen hundred pounds of Good merchantable Tobacco in Cask & So after for that Rate, In Testimony whereof these partys have hereunto Interchangeably Set their hands and Seales the day and year first above written
 Sealed & Delivered in the
 p'sence of Phillip Calvert
 Ro: Carville

Signed John Edmundson

Enrolled & Entered this 7.th Novemb.^r 1670

Phillip Calvert

1670

Liber C D
(fol. 33)

At a Court held for the Chancery and Provinciaall Court began on Tuesday the Thirteenth day of Decemb.^r in the 39th year of the Dominion of Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon & Annoq Dom. 1670 and Continued till the Seventeenth, was Present.

The Right Hon.^{ble} Charles Calvert Esq.^r L.^t General & Chief Judge in Equity

The Honourable Phillip Calvert Esq.^r Chancello.^r
William Talbot Esq.^r Secretary
William Calvert }
Baker Brooke } Esq.^{rs}
Thomas Truman }
Samuell Chew }

This day the Hon.^{ble} William Talbot Esq.^r principall Secretary was Sworn one of the Justices of the provinciaall Court and Chancery and took his place as Secretary next the Chancellour

Upon the 15.th day Edward Fitzherbert Esq.^r was Sworn one of the Justices of the provinciaall Court and Chancery likewise and took his place accordingly

The Same day Vincent Lowe Gentl was Sworn his L^{dp}'s Att'y Generall & Mathew Ward and George Parker Attorneys of the Provinciaall Court and Chancery. And afterwards that is to Say on the Seventeenth day the S.^d Vincent Lowe & John Rousby were Sworn Attorneys of the Said Courts

Wednesday the 14.th day of December 1670

Present.

The Right Hon.^{ble} the L.^t Generall Charles Calvert Esq.^r

Phillip Calvert Esq.^r }
Chancello.^r }
William Talbot Esq.^r } Councello^{rs}
Secretary } Baker Brooke }
William Calvert Esq.^r } Thomas Trueman & } Esq.^{rs}
Sam.^{ll} Chew }

The Causes in Chan.^{ry} then Called

Oliver Holloway p.^{lt} { I M } The Cause was this Court to have
John Homewood def.^t { R C } Come to hearing and divers Wittnesses
had been Examined, but in Regard Thomas Thurston one of the
Witnesses Subpena'd and appearing Refused to Testify upon Oath
and that Thomas Turner another of the Wittnesses Subpena'd

p. 27
(fol. 33)

Liber C D appeared not at all though Lawfully Served with the Writt as appeared to the Court by the oath of Holloway the p.^{lt} Publication was Respited till next Court and upon Motion for the p.^{lt} Ordered by the (fol. 34) Court that an attachm.^t issue out of this Court ag.^t Thomas Turner and that Thomas Thurston do Immediately pay unto the Lord proprietary five hundred pounds of Tobacco for a fine for not Testifying upon Oath according to the Act of Assembly in that Case, Provided, Together with Twelve Shill.^s Six pence to the p.^{lt} Holloway for Costs of the Attachment, after w.^{ch} the Court declared that they left it to the p.^{lt} Holloway to Seek his further Remedy at Law ag.^t the s.^d Thurston for the Damages by him Sustained or to be Sustained for want of his the s.^d Thurston's Testimony in this Cause.

Benj.^a Cowell p.^{lt} } IM { This Cause was the last Court heard
 & } RC { and Ordered to be dismiss'd with one
 Jonathan Sybry def.^t } { Thousand pounds of Tobacco Costs to be paid to the def.^t by m.^r Morecroft Attorney for the plt in Respect of the Said dismission, but before Signing of the s.^d Dismission the s.^d Attorney for the p.^{lt} Cowell, tendred the Said Costs, and prayed Stay, of the s.^d Inrollment, And to have the Cause again admitted upon which the Inrollm.^t was Respited till the arrivall in this province of the Right Hon.^{ble} Charles Calvert Esq.^r Chief Judge in Equity, And upon motion this day made in Court by the Attorney Morecroft for the p.^{lt} Coswell, It was Ordered that the Cause be again heard next Court, and that the Said m.^r Morecroft first pay the one thousand pounds of Tobacco Costs Taxed Last Court, and then Give Security to pay further Costs if the Bill shall be again the Second time dismissed, after which there shall a Summons or Subpœna be issued against the defendant Sybrey to come and hear Judgment as aforesaid.

John Balley pl.^t } And on the Contrary there being Sev-
 Raymond Stapleford def.^t } erall Causes and Suits between the Said parties all difference between them was Submitted to Arbitration and the Arbitrators have made an Award before Aprill Court last that both parties Should Give to Each other a Generall Release which the p.^{lt} Bayley that Court offering to Sign and Seale the def.^t Stapleford Craved time till this Court to consider of the matter before he Sealed Such Release And he not appearing this Court to Shew any Cause why the Said Release Should not be Executed and the p.^{lt} Bayley offering to proceed in the Said Causes the Attorneys of Both Sides refused to Act in Any of the Said Causes for their Severall Clients in Regard the Said Cause was discontinued. It is therefore Ordered that all proceedings upon all the Said Causes be Stay'd. the Court declareing the s.^d Causes to be discontinued as afores.^d

Christopher Rousby p.^{lt} } The p.^{lt} having put in Exceptions to the Lib. C D
 & } defend.^{ts} Answ.^r It is Ordered that the def.^t
 John Pearce defend.^t } shall have time to mend his Answers till the
 next Court and in the mean time the Injunction formerly Granted p. 28
 in this Cause is Continued (fol. 35)

Jn.^o Long merch.^t p.^{lt} } It was alledged by the p.^{lts} Attorney that
 & } the p.^{lt} having Examined all his Witnesses
 Eliz.^a Stacey & } and the Cause being Ready for publication
 William Baker def.^{ts} } and so to proceed to hearing one Henry
 Bonner hath Since married the Said Eliz.^a whereby the Said Suit
 abated, Whereupon the p.^{lt} Exhibited a Bill of Revisor against the
 Said Henry Bonner and his wife and he being accordingly Served
 with a Subpœna Returnable this Court, and Showing no Cause to
 the Contrary why the Said former Suit and all the pceedings there-
 upon Should not stand Revived and in as Good plight as they were
 before the Said Inter-marriage, this Court hath Ordered that the
 Same do Stand Revived, And that publication do Immediately pass,
 and the p.^{lt} proceed to hearing next Court.

John Robinson p.^{lt} } The defend.^{ts} have put in their Severall An-
 & } swers to the p.^{lts} Bill, and the parties by Consent
 Benj.^a Rozer } were willing to Come to hearing upon Bill and
 Tho.^s Sprigg } def.^{ts} Answer but being alledged by the p.^{lts} Attorney
 that he could not come to Judgm.^t till Such time as one witness were
 Examined, It is Ordered that the p.^{lt} procure that Wittness to be
 Examined before the next Court at which time publication to pass,
 and the p.^{lt} put down his Cause to be heard if he thinks fitt.

John Halfhead pl.^t } It is Ordered that publication do forthwith
 & } pass and that the p.^{lt} bring his Cause to hearing
 Joseph Edloe def.^t } next Court

Joseph Edloe p.^{lt} } The def.^t haveing put in his Answer to the
 & } p.^{lts} Bill, It is Ord.^d that the p.^{lt} this Court doe
 Jn.^o Halfhead def. } Reply or Except. to the Same

Tho.^s ffisher adm.^r Rich.^d } The plaintiff haveing Replied, It is
 Atkins deceased plt } Ordered that the defendant Rejoyne this
 & } Court
 Richard Keene def.^t

John Bailey p.^{lt} } The p.^{lt} hath Replied to the defendant's Ans.^r
 & } & hath taken out a Subpœna ag.^t the def.^t to
 James Neale def.^t } Rejoyn and Joyn in Comiçõn Serving of the
 Sp.^a pved by John Elwin by delivering it to m.^{sr} Neale wife of the
 defendant.

Liber C D James Neale p.^{lt} } The def.^t having put in his Answer to the
 & } p.^{lts} Cross Bill, the p.^{lt} hath put in Exceptions
 John Balley def.^t } thereunto, Whereupon It is Ordered that the
 def.^t do by the next Court Answer the Said Exceptions or in default
 (fol. 36) thereof, It is Referr'd to the Hon.^{ble} the Chancello.^r to Consider of
 the Bill, Answer and Exceptions and Certifie the Court whether
 the said Answer be Sufficient in the points Excepted unto or not upon
 whose Certificate Such further order shall be taken therein as shall
 be meet.

John Currer p.^{lt} } The Cause being Called, It was alledged by
 & } the Attorneys of both Sides that all matters in
 John Wright def.^t } Controversy between the s^d partys were agreed

Nicholas Brooke pl.^t } Ordered that the Injunction formerly
 & } Granted be Continued till y.^e def.^t put in
 Richard Tilghman def.^t } a full & pfect Ans.^r to y.^e p.^{ts} Bill

Abraham Jansy p.^{lt} } It is Alledged by the Attorney for
 & als p^{ts} } the defend.^t that the defend.^t is ready
 & } to put in his Answer to the plaintiff's
 Jacob Young als Clause def.^t } Bill, Provided the p.^{lts} who are for-
 p. 29 eigners and live out of the Jursidiction of this province or their
 (fol. 36) attorney or Some Else for them will Give Security to pay Such
 Costs of Suit as this Court Shall adjudge in Case the Said p.^{lts} Bill
 be dismissed, Whereupon It is Ordered that no further pcedings be
 had in the Said Cause till Such Security be Given as aforesaid

Toby Wells p.^{lt} } The Defendant having put in a plea and De-
 & } murrer to the p.^{lts} Bill, It was Ordered that
 John Wright def.^t } the Same Should be Set down to be Argued the
 Last day of this Court and that day It was Ordered to be Respited
 whilst the next Court.

Jonathan Hopkinson p.^{lt} } The defend.^{ts} by Severall At-
 & } torneys appeared to the p^{ts} Bill
 Jn.^o Wright & Rich.^d } def^{ts} } and Craved time till the next Court
 Snowden }
 to put in Answer thereunto which was Granted accordingly

Edw.^d Peerce p.^{lt} } The like time was Granted to the defendant
 & } to answ^r the plaintiff's Bill
 Randall Revell def.^t }

Samuell Bolton maketh oath that Walter Storey in Octob.^r 1667 did acknowledge he had left in Good debts by notes taken in his own name in Maryland &c^a three hundred hogsheds of Tobacco whereof three Quarter part did belong to the account and were the proper Goods of John Long of London merchant, and that the other quart.^r part did belong to the said Walter Story which were the proceeds of a parcell of Goods w.^{ch} the Said John Long Consigned him in the Ship called the Golden fortune Cap.^t Peerce Commander in the year 1665 and w.^{ch} he the Said Walter Story then acknowledged he had Received

Liber C D
(fol. 37)

Sam: Bolton

Jurat 17.^o die Octobris 1668 Coram me
Magfo in Canc. Rich: Procter

Henry Peerce maketh Oath that in the year 1664 he Received of Jn^o Long of London merchant fifty pounds for his full moyety of a plantation and about Sixty Swine and two Cows in Maryland which the Deponent Sold him the Said John Long & Walter Story Since deceased

Henry *HP* Peerce

Jurat 17.^o Die Octobris 1668 Coram me
Magfo in Canc. Richard Procter

Henry Oldfield Citizen and merchant Taylor of London maketh oath that John Long of London merchant in the year 1664 did Joyntly purchase with Walter Story Since Dead a plantation of Henry Peerce to whom the Said John Long paid for his moyety thereof the Sume of fifty pounds And this Depon.^t further maketh Oath that in the year 1665 the S.^d John Long in the Ship Golden ffortune Cap.^t Peerce Commander did Consign to the Said Walter Story in Maryland a Cargo of Goods amounting to five hundred and thirteen pounds and five pence where of three quart.^r parts was for the amount of the S.^d John Long and the Other quart.^r part for the acc.^t of the s.^d Walter Story and that he the Said John Long did advance the money for the s.^d Walt^r Story's quarter p.^t

Henry Oldfield Jun.^r

Jurat 17.^o die Octobris 1668 Coram me
Magfo in Cancell. Richard Procter

On the Backside of the foregoing Depositions of Sam.^{ll} Bolton Henry Peerce and Henry Oldfield was thus written viz.^t

I William Scovey Notary and Tabellion publique by Authority of our Sovereign Lord the King admitted and Sworne, dwelling in this City of London do hereby declare and make known to all those whom it doth or may concerne that the Wor.th Richard Procter before whom the three Respective within written affidavits in my presence were made and passed, Is one of the masters of the high Court of Chancery of England, and that unto all affidavits before him in that quality passed, hath been and is Given full faith and Credit in Judgment Court, and without, Wittness my Notariall forme and Seale of office and Armes in London this Seventeenth

p. 30
(fol. 37)

Liber C D day of October Anno Domini 1668 and in the Twentieth year of the Reign of our Sovereign Lord Charles the Second King of England &c W.^m Scorey Not.^{rius} Pub.^{cus} 1668.

Locus
Sigilli

(fol. 38) Deed Enrolled Between Henry Parrott & Sam.^{ll} Chew

This Indenture made the 26.th day of ffebruary in the 38.th year of the Dominion of the Right Hon.^{ble} Cæcilius absolute Lord and proprietary of the province of Maryland Lord Baron of Baltemore and in the year of our Lord one thousand Six hundred Sixty and nine Between Henry Parrott of Talbot County planter on the one part and Samuell Chew of Ann Arundell County Esq.^r of the other part Wittneseth that Whereas the Lord Baltemore by his Deed of Grant under his Great Seale used in this province for Granting of Lands there bearing date at S.^t Maries the Seventh day of November in the 28.th year of his Lordship's Dominion over the Said Province Annoq; 1659 did for the Considerations therein meñconed Grant unto William Parrott assignee of George Bussey all that parcell of Land formerly Survey'd for the Said Bussey, Called Popinjay on the North Side of Putuxent River in the ffreshes Beginning at a marked oake bounding on the South with a line drawn East and by North for the Length of four hundred perches to a marked oake Standing in the woods on the East with a line drawn North and by West from the S.^d Oake for the Length of Two hundred pches to a marked oake on the North with a line drawn west and by South from the End of the former line to a marked Pochickory that boundeth the Land formerly Laid out for Henry Cox, on the west with the Said Land Containing and Laid out for five hundred acres more or Less, Together with all Rights profits and benefits thereunto belonging (Royall mines Excepted, To have and to hold the Same unto him the Said William Parrott his heirs and assigns for Ever under Such Rents Covenants, Conditions, Limitations and Exceptions as in and by the Said Deed of Grant Relation being thereunto had more at Large may and doth appear and whereas the Said William Parrott by his Last Will and Testament did Give and bequeath unto the Said Henry Parrott his Son one of the partys of this Indentured all the said parcell of Land aforemencon'd called Poppingay To have and to hold unto him the Said Henry Parrott his heirs and assigns for Ever as by the Said Last Will and Testament now upon Record in the office at S.^t maries Relation being thereunto had more at Large may and doth appear, Now this Indenture Wittneseth that the above s.^d Henry Parrott for and in Consideration of Eight Thousand pounds of Good merchantable

Tob^o to him in hand paid and Delivered by the above said Sam.^{ll} Liber C D
 Chew before the Sealing and delivery hereof, wherewith the said
 Henry Parrott doth acknowledge himself fully and wholly Satisfied
 and doth of all and every part and parcell thereof Acquitt & discharge
 the Said Samuell Chew his heirs Executors Adm.^{rs} and assigns by
 these presents, hath Granted Bargained Sold aliened Enfeoffed and
 Confirmed, and by these presents doth fully Clearly and absolutely
 Grant Bargain Sell Alien Enfeoff and Confirm to the s^d Samuell
 Chew his heirs and assigns all the Said five hundred acres of Land
 abovementioned called Poppingay Together with all the Edifices
 and buildings whatsoever to the Same belonging or in any wise
 appertaining and the Reversion and Reversions Remainder and (fol. 39)
 Remainders of all and Singular the Said before Granted, aliened
 Enfeoffed and Confirmed premisses or hereby mentioned or In-
 tended to be hereby Granted aliened, Enfeoffed and Confirmed, and
 also all the Estate Right Title Interest Claim and Demand what-
 soever of him the Said Henry Parrott of in or to the Same, and of
 in and to Every part and parcell thereof, And also all Woods under-
 woods and Trees now Growing, Standing or being upon the Same
 premisses or any part or parcell thereof, Together with the Said
 before Recited Deed of Grant To have and to hold the Said five
 hundred acres of Land, and all and Singular the premisses before
 by these presents mentioned or Intended to be Granted with all and
 Singular the appurtenances to the Said Samuell Chew his heirs and
 assigns for Ever to the only use and behoof of the Said Samuell
 Chew his heirs and assigns for Ever, And the Said Henry Parrott
 doth for himself his heirs Executors and Administrators hereby
 Covenant & Grant to and with the Said Samuell Chew his heirs and
 assigns and Every of them by these presents in manner and form
 following that is to Say, That he the Said Henry Parrott now at
 the time of the Ensealing and Delivery hereof Standeth and is
 Solely and onely and Rightfully Seized, and untill the Estate hereby
 to be Granted Shall be Sufficiently past, Vested and Settled in the
 Said Samuell Chew his heirs and assigns Shall So Remain Seized
 of all the premisses of a Good absolute and perfect Estate in fee
 Simple to him and his heirs for Ever in his own Right and to his
 own use, without any manner of Condition or proviso, Right Title
 or Limitation of use which may hereafter Destroy or Evict the Same,
 other then such Condition or proviso as is mentioned in the Said
 Recited Deed of Grant And that the Said Henry Parrott hath Good
 Right full power and Lawfull Authority in his own Right to Grant
 Convey and assure the Said premisses and Every part and parcell
 thereof unto the Said Samuell Chew in manner & form aforesaid
 according to the true meaning hereof, and also that the Said Samuell
 Chew his heirs and assigns Shall and may at all times and from time
 to time during the Estate hereby made and Granted peaceably and

p. 32
 (fol. 39)

Liber C D quietly have, hold, use and Enjoy all and Singular the Said Granted premisses with the appurtenances according to the true meaning without any let Suit Trouble or Charge whatsoever of or by the Said Henry Parrott his heirs or assigns or any of them or any other person or persons whatsoever Lawfully having or Claiming to have any Estate Interest or thing of into or out of the Said Granted premisses or any part thereof by from or under the Said Henry Parrott his heirs or assigns or any of them or any other person or persons whatsoever Lawfully having or Claiming to have any Estate Interest or thing of into or out of the Said Granted premisses or any part thereof by from or under the Said Henry Parrott or by his means privy Consent or procurement and that the Said Granted premisses and Every part thereof now are and be and So during the

(fol. 40) Estate hereby made and passed shall according to the true Intent and meaning hereof Remain Continue and be to the Said Samuell Chew his heirs and assigns fully freely and Clearly acquitted freed and Discharged or upon Reasonable Request made to the Said Henry Parrott his heirs and assigns in that behalf well and Sufficiently and at his and their own Costs and Charge Shall be Saved and kept harmless by him the Said Henry Parrott his heirs and assigns of and from all former and other Bargains, Sales, Leases, Gifts, Grants, Estates, Rent, and of and from all Jointures, Dowries, Statutes Recognizances Judgments, Executions forfeitures Seizures, issues Extents and all other Charges, Titles troubles Incumbrances & Demands whatsoever had made Committed acknowledged or done by the Said Henry Parrott his heirs or assigns or any other person or persons Lawfully Claiming from by or under him them or any of them or by his their or any of their meanes Title or procurement, the Rents and Services from henceforth to Grow due and payable to the chief Lord or Lords of the fee or fees only Excepted or foreprized, and the Said Henry Parrott Doth further

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(fol. 40) Covenant and Grant for himself his heirs Executors Administrators and assigns to and with the Said Samuell Chew, his heirs and assigns and Every of them by these presents that the Said Henry Parrott and his heirs & all and Every other person and persons any Estate Right Title or Demand having or Lawfully Claiming or which any thing shall have or Lawfully may Claim in to or out of the premisses, before mentioned to be Granted or any part or parcell thereof by from or under the Said Henry Parrott Shall and will from time to time and at all times hereafter dureing the Space of Seven years now next following after the date hereof at the Reasonable Request Cost and Charges in the Law of the Said Samuell Chew his heirs and assigns do make acknowledge Execute and Suffer and Cause and procure to be made acknowledged, Executed & Suffered all and Every Such further and other Lawfull & Reasonable Act and Acts, Assurance and assurances in the Law whatsoever, for the further

and better assurance, Surety & Sure making and Conveying of the Said Granted premisses with the appurtenances or any part or parcell thereof unto him the Said Samuell Chew his heirs and assigns according to the true meaning hereof, Be it by fine ffeoffment Recov'y or otherwise as by him the Said Samuell Chew his heirs & assigns or either of their Councel Learned in the Law Shall be Reasonably Devised or Advised, And it is mutually Agreed and Concluded by and between the partys to these presents that all and Every Such further assurance to be made as aforesaid of the Said Granted premisses or any part thereof is meant and Intended to be and Shall be to the only use and behooff of the Said Samuell Chew his heirs & assigns for Ever and to no other Intent or purpose whatsoever. In Wittness whereof the partys first above named have to these presents Interchangeably Set their hands and Seale the day and year first above written. (fol. 41)

Henry Parrott [SEAL]

Signed Sealed & Delivered in the presence of

Jos: Taylour
Thomas Meech
Joseph Chew
George Read

Underneath the afore written Deed was thus written

Henry Parrott acknowledged this Deed the thirteenth of Decemb.^r 1670 before me Phillip Calvert

On the Backside of y.^e aforegoing Deed was thus written Memorandum that upon the 31.st Day of October 1670 full and free and quiet possession of the within Demised Land Called Poppingay with Delivery [sic] and Seizin was Given by the within mentioned Henry Parrott to the within mençoned Samuell Chew by Delivery of Turfe and Thall according to the usuall manner in like Cases In Wittness whereof I the said Henry Parrott have hereunto put my hand and Seale (fol. 41)

Henry Parrott sealed

Wittness present

Benj.^a Wells
Lionell Pawley
Jeremy ✕ Stindevon his mark
Paul H Bury his mark

Enrolled and Entred this 27.th of Jan.^{ry} 1670

Rob.^t Ridgely Clerke

The Oath of [Robert Ridgely as] Reg^r & Exam^r in Chan^{cy} Robert Ridgely (fol. 42)

You shall Swear that you Shall Justly and Truly after your best Skill and Judgment Execute the office of Register of his Lordships Court of Chancery to which you are admitted, All orders,

Liber C D decrees and other matters in your office to be Entred, you Shall truly Record, and true Copys thereof when Required, you shall deliver Subpœnas and other process of the Court you Shall bring to be Sealed with the Great Seale of the province duly Justly and Equally you shall Examine those Causes that shall be Committed unto you without any favour or Corruption of any person or persons to be had otherwise than of Right Shall appertain concerning the Same, and ye shall be attendant as well to further his Lordship's Designs, as the Same Causes from time to time as need shall require, and you shall not publish or show directly or Indirectly, the Same Depositions to any person afore publication in the Court without warrant of the Same Court, So help you God and by the Contents of this Booke

The 3.^d of february 1670

Was then Robert Ridgely Sworn Register & Examiner in Chancery according to the Teno.^r of the Oath above written (And admitted to Exercise the said places) before me

Signed Will: Talbott

Maryland ss. At a Court held for the Chan.^{ry} & Provinciall Court began on Tuesday the fourteenth day of february in the 39.th year of the Dominion of Cæcilus absolute Lord & Prop.^{ty} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c.^a Annoq; Domini 1670 at the City of s.^t maries and there Continued till the Eighteenth of the Same febr^y on Tuesday the Sixteenth was

Present

The Right Hon.^{ble} Charles Calvert Esq.^r Lieu.^t Gen.^{ll} & Chief Judge in Equity

The Hon. ^{ble}	{	Phillip Calvert Esq. ^r	
		Chancello. ^r	William Calvert &
		William Talbot Esq. ^r	Tho ^s Truman Esq ^{ts}
		Secretary	

p. 35 (fol. 42)	John Long Complainant ag. st	}	The partys plaintiff and Defendant having Replyed and the Cause being appointed for hearing this Court and the Defend. ^{ts} being Served with a Subpœna to hear Judgment do appear and the Complainants Attorney appearing Likewise the Cause thereupon Comeing to hearing this day in the presence of Thomas Notley Procurato. ^r to the Said John Long, and the
(fol. 43)	Henry Bonner & Eliz. ^a his wife Adm. ^r of Walter Storey Deced and William Baker Defend ^{ts}		

hearing and Debate thereupon, And upon Reading the Compts Bill, and the Defend.^{ts} Answer thereunto with the Depositions of the Wittnesses and proof taken in this Cause being all by this Court Seriously viewd and Considered, And hearing of what could be alledged on either Side This Court was all Clearly Satisfied, that the Said Walter Story in his Lifetime had and Received of and from the Said John Long the Compt Goods to the value of five hundred and thirteen pounds and five pence Sterling, which Goods were in Copartnership betwixt the Complainant and the Said Walter Story, to wit three fourth parts thereof to the Compt and the other fourth part thereof to Walter Story, who was to pay to the Complainant one fourth part of the Said five hundred and thirteen pounds and five pence being by him disbursed in buying and Transporting the Said Goods. It is therefore Ordered and Decreed that the Said Complainant Shall allow to the defendant all Such Sumes as shall be Judged fit to be allowed to him upon the accounts betwixt them and the defendants to Satisfie to the Compt the Said Sume of five hundred and thirteen pounds and five pence Sterling with Costs of Suit, all to be Computed and allowed by this Court, And both partys being now present in Court and offering their accounts on both Sides w.^{ch} the Court having perused and Seriously Considered. Thereupon do find upon the Ballance thereof that the Said Walter Story in his life time was Indebted to the Complainant John Long (all his Just demand Deducted) Two hundred forty and three pounds Eight Shillings and Seven pence in money Sterling.

Which Said Two hundred forty three pounds Eight Shillings and Seven pence in money Sterling with five pounds for his Costs of Suit to him adjudged. the Defendants Henry Bonner and Elizabeth his wife Administratrix of the Goods and Chattells of the Said Walter Story Deceased are ordered and Decreed to pay to the Complainant John Long accordingly.

Philip Calvert Cant

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c.^a To Henry Bonner and Elizabeth his wife late Called Elizabeth Story widow the Relict and Administratrix of the Goods and Chattells of Walter Story her late husband Deceased and to Either of them Greeting Whereas a Certain finall Judgment and Decree was lately made before us in our Court of Chan.^{cy} and there Remaineth upon Record in these words following Whereas heretofore that is to Say on the Eleventh day of may in the year of our Lord one thousand Six hundred Sixty and nine John Long of the City of London merchant Compt did Exhibit his Bill of Complaint into this Hon.^{ble} Court of Chan.^{cy} of this province against Elizabeth Story Adm.^r of the Goods & Chattells of Walter Story late of this province Deceased and William Baker Defendants thereby Setting forth that the Com-

Liber C D

p. 36
(fol. 43)

(fol. 44)

Liber C D plainant in the year one thousand Six hundred Sixty and five did
Send into this province Severall Goods & merchandizes to the value
of three hundred and thirteen pounds and five pence Sterling which
were Shipped in and upon the Good Ship Called the Golden fortune
whereof Edward Pearce was Commander and Consigned to Walter
Story of this province deceased, and by the Said Pearce Delivered
2 to him the Said Story three fourths whereof were for the Accompt
of the Complt and the other fourth part thereof to Walter Story,
But the Complt Disbursed the money for the whole out of his own
proper money, the plt the Same years and Severall years before and
Since Consigned and Sent over to the s.^d Walter Story Severall
other Goods as factor for the Said Complt to a Great value for
the produce whereof the said Walter Story was to be accountable
to the Complt, as also for the money by the Complt laid out for the
fourth part of the Goods Shipped in Pearce and the fourth part
3 of the ffreight and other Incident Charges which the Complt paid,
and that the Said Walter Story having got into his hands and
possession all & Singular the Said Goods and in his life time dis-
posed of the Same, and raised thereupon divers and Severall Con-
siderable Sumes of Tobacco by the produce thereof which he kept
in his hands and never in his life time made any Returns or acc.^t
to the Complt, whereby the Complainant was Damnfied one thousand
pounds Sterling, being Enforced to pay Dead ffreight for two
hundred hogsheads of Tobacco which Should have been Shipped by
4 him in his life time or Elizabeth his Relict Since his Death according
to advice to them Given for that purpose, they having Enough in
their hands to do the Same, the Said Walter Story Dyeing the Said
Elizabeth Story his Relict Administring and having full Effects to
pay his Debts Combining with William Baker the other Defend.^t
who was Employed by the Complt in the Disposall of the Goods
and very well knew of the premisses She refuseth to make the Com-
plainant any Satisfaction for the Goods or the produce thereof, or
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(fol. 44) to make Good to the Complt the fourth part of the money paid for
5 the Said Goods & fourth part of the ffreight and Incident Charges
by the Complainant disbursed in and about the Transportation of
the said Goods and for the Dead ffreight by the Complainant paid,
therefore to be relieved touching the Same and to have the defend.^t
(fol. 45) produce the Said Walter Story's Book's of Accompts and how the
Goods were Disposed, And to whom, and what the produce Came to
and to have an account of and Satisfaction for the Same, and for
his Damages and for the Dead ffreight by him paid according to
Equity and Justice he humbly Crave the aid and assistance of this
6 Hon.^{ble} Court and that process of Subpcena might thereout be
awarded against the Said Defendants to appear and to Answer
make of all and Singular the premisses the which being Granted
and the defend.^{ts} being therewith duely Served appearing, and the

defend.¹ Elizabeth Story Saith She never knew of any Goods Consigned by the Complt to Walter Story her late husband in the year one thousand Six hundred Sixty five or any year Since or before, And the other Defend.² William Baker Confesseseth and Saith that true it is there was in the year 1665 a parcell of Goods Shipped by the Complt in the Ship Golden ffortune Edward Peerce Commander, and Consigned to the Said Walter Story, and to the s^d 7 Story delivered But to what value they Amounted to he knoweth not or whether the Complt had any part or Share he knoweth not or whether the Goods were purchased with Long or Story's money or for whose use they were he knoweth not, and Saith he never knew of any other Goods Consigned to Story the Complt Both of them Say they knew not of any Copartnership between the Complt and Story, or that Ever Story did Act for the Complt as his facto.³ or Ever Sold any Goods by the Compls order or for his use that they knew nothing of any Dead ffreight paid by the Complt through 8 the Neglect of the Said Story or the Defend.⁴ nor did they Ever See or had any knowledge of any Charter party wherein the Complt had taken any ffreight aboard any Ship to be Complied with by the Said Walter Story or the defend.⁵ or have they or Either of them any Effects of the Compls in their or Either of their hands whereby the Complt might be Compelled to pay Dead ffreight through their neglect. That the Said Walter Story went for England in Cap.⁶ Peerce's Ship in the year 1667 and was Severall times with the Complt at his house in London, and Carried all his papers 9 with him that Concerned the Dealings between him and the Complt. if there were any, and Saith it is Consonant to Reason to Suppose that the Complt if that Story had been any ways in his Debt by p. 38 (fol. 45) reason of the Said Goods So Sent to the Said Story would have made up accounts together and the Complt would have taken up Some Obligations or acknowledgem.⁷ under his hand for what was due to him. And the defend.⁸ Say that the Said Story dyed in his 10 Return from England and never any of his papers or accounts which any ways Concerned any Dealings betwixt the defend.⁹ and the Said Long came to their hands or knowledge by reason whereof they are wholly Ignorant of any affairs betwixt them, and the Said Elizabeth Saith that she being left a widow and one poor Child the Complt takes advantage of her widowhood and Ignorance of the matters Contained in the Said Bill but hath no Just Cause against her and so Concludes with the Gen.¹⁰ Traverse, to which Answer the Complain.¹¹ put in his Generall Replication and Avers that all and Every the matters in his Bill of Complaint are true all which he is Ready to prove and Justifye and maintain in Such manner and form as the Hon.^{ble} Court Shall award and prayeth as in his 11 Said Bill he hath prayed, and the matter being at full and perfect issue Wittnesses were Examined by the Complt and Said Cause

Liber CD was Ripe for publication and to Receive a Judiciall hearing as by
 the Said Bill Answer, Replication Examination of Wittnesses and
 other the proceedings thereupon had all of them Remaining upon
 Record in this Hon.^{ble} Court more fully and at Large the Same doth
 and may appear after which time the said Elizabeth Story was Since
 married to one Henry Bonner Gentl by means whereof the Said
 Suit was abated To the End therefore that the s.^d former Suit and
 12 all the proceedings thereupon might Stand Revived and in as Good
 plight and Condition against the Said Henry Bonner and the other
 Defend.^{ts} Elizabeth and William as they were against the Said
 Elizabeth Story and William Baker at the time of his Inter-marriage
 with the Said Elizabeth, the Compt that he might be Relieved in
 Equity and Justice therein to witt the 19.th day of October in the
 year one thousand Six hundred & Seventy and in the nine and
 thirtieth year of the Dominion of Cæcilius &c.^a did Exhibit his
 Certain Bill of Reviver into this Hon.^{ble} Court to Revive the Said
 13 Suit and therein prayed process to the Said Henry Bonner to be
 Directed to Command him at a Certain day and under a Certain
 penalty therein to be Limited to be and personally appear before
 the Hon.^{ble} the Chancellour and the Rest of the Hon.^{ble} the Justices
 in the high Court of Chancery then and there to Answer the premisses
 p. 39
 (fol. 46) and Shew Cause if any he had why the Said former Suit and all
 the proceedings thereupon Should not Stand Revived and in as Good
 plight and Condition against him now as they were against y^e other
 (fol. 47) defend.^{ts} at the time of his Inter-marriage whereupon process was
 accordingly Granted against him Commanding him to appear before
 14 the Said Honourable Chancellour and Justices in the high Court of
 Chan.^{ry} the thirteenth day of December next which process being
 duly Served upon him the Said Henry Bonner, upon which at the
 time and place he appeared in person & Showing no Cause why
 the former Suit should not be Revived the Same was then by the
 Honourable Court of Chancery Ordered to Stand Revived and
 publication to pass thereon the Cause to be brought to hearing the
 next Court to wit the fourteenth day of ffebruary then next, and
 the Cause thus Standing at issue and this present day being appointed
 15 for hearing thereof before the Right Hon.^{ble} Charles Calvert Esq.^r
 Lieu.^t Generall and Chief Judge in Equity the Hon.^{ble} Phillip
 Calvert Esq.^r Chancellour, William Talbot Esq.^r Secretary William
 Calvert and Thomas Trueman Esq.^{rs} Justices of the Said Court
 in the presence of both partys to wit Thomas Notley procurator of
 John Long Complain.^t and Henry Bonner and Elizabeth his wife
 defendants and their attorneys on both Sides the Scope of the
 Complainants Bill and Replication and the defendants Answer ap-
 peared to be as is before Set forth and Recited whereupon and upon
 Reading the Complain.^{ts} bill and the Defend^t answ.^{sr} thereunto with
 16 the Depositions of the Wittnesses and proofs taken in this Cause

being all by this Court Seriously Viewed and Considered and hearing what could be alledged on either Side this Court was all Clearly Satisfied that the Said Walter Story in his Lifetime had and Received from the Complt John Long Goods to the value of five hundred and thirteen pounds and five pence Sterling which Goods were in Copartnership between the Complt and Walter Story to wit three fourth parts thereof to the Complt and the other part thereof to the Said Walter Story who was to pay to the Complt one fourth part of the

17 said five hundred and thirteen pounds and five pence Sterling being by him disbursed in buying and transporting the s.^d Goods this Court therefore doth think fit, And it is this p^rsent day that is to Say on thursday the Sixteenth day of ffeb.^{ry} in the nine and thirtieth year of the Dominion of Cæcilius &c.^a as aforesaid and in the year of our Lord One thousand Six hundred and Seventy, By the Right Honourable Charles Calvert Esq.^r Lieuten.^t Generall and Chief Judge in Equity the Hon.^{ble} Phillip Calvert Esq.^r Chancellour the Hon.^{ble}

18 William Talbot Esq.^r Secretary, William Calvert and Thomas Trueman Esq.^r and Justices of this Court, and the Authority of the Same Ordered, adjudged and Decreed That the Said Complt John Long Shall allow to the defend.^{ts} all Such Sumes as Shall be adjudged fit to be allowed them upon the amounts betwixt them and the defend.^{ts} to Satisfie to the Complt the Said Sume of five hundred and thirteen pounds and five pence Sterling with Costs of Suit all to be Computed and allowed by this Court and both partys being now present in Court and offering their accounts on both Sides, which this Court having passed and Seriously Considered thereupon

19 do find upon the Ballance thereof that the Said Walter Story in his lifetime was Indebted to the Complt John Long (all his Just demands Deducted) the Summe of two hundred forty three pounds Eight Shillings and Seven pence in money Sterling with five pounds Sterling to him for his Costs of Suit adjudged, the Defend.^{ts} Henry Bonner and Elizabeth his wife Administratrix of the Goods and Chattells of Walter Story are Ordered and Decreed to pay unto the Complt John Long accordingly. We Do therefore hereby strictly

20 Charge and Comand you and either of you that all and Every the matters and things in the Said finall Judgment or Decree mentioned Specific and Contained, So far forth as the Same or any of them do in any ways touch or concern you or Either of you, you and either of you do well and truly observe perform fulfill and keep to all Intents and purposes, according to the Teno.^r and true meaning thereof, and that you pay unto the s.^d Complt John Long or Thomas

21 Notley Gen.^t procurator for the Said John Long the Said Sumes of Two hundred & forty three pounds Eight shillings & Seven pence in money sterling together also with five pounds Sterling for his the s.^d Compts Costs of Suit to him adjudged and this you nor Either of you are to omit in any wise under the penalty thereupon

p. 40
(fol. 47)

(fol. 48)

Liber CD Ensuing, Wittness our Seal at our City of S.^t maries the four & twentieth day of march in the nine and thirtieth year of our Dominion over our Said province of Maryland Annoq Domini one thousand Six hundred and Seventy

p. 41
(fol. 49) Abraham Jause & als p^{ts}. } Ordered by the Court here that the
ag.^t } Bill be dismissed for want of the
Jacob Young als Clause def^t } Complainants Giving in Security for
Costs they being foreigners

Thomas ffisher Adm.^r Rich.^d } The p^{ts} Attorney being demanded
Atkins de^{cd}ed plt } by this Court if he would Give Security
ag.^t } for Costs if upon hearing of the busie-
Richard Keene defend.^t } ness the bill Should be dismissed, and
he refusing the Comp.^{lt} having at present no visible Estate in this
province, It is Ordered by this Court that the Comp.^{lts} Said Bill be
dismissed and that the Said ffisher Comp.^{lt} or Samson Warren his
Attorney pay to the defend.^t the Summe of three pounds Six Shillings
& Eight pence for Costs, and that Decree pass out of this Court for
the Same against the Said ffisher or his S.^d Att.^{ry} Samson Warren

John Robinson plt. . . . } This busieness by Consent of both par-
ag.^t } tys was referred to m.^r Thomas Notley
Benjamin Rozer & } and m.^r Thomas Lomax who are desired
Thomas Sprigg } def.^{ts} } to Examine State and Audite the whole
busieness and to make Report to the Court here the Seventeenth
day of Oct.^r next how they find it in the meantime Rozer one of the
def.^{ts} is by the Court here Ordered to Stop what Tobacco he hath
or shall have of Richardsons in his hands untill the Court have
made a final Determination in the S.^d Cause

John Stone } The return of the Com.^{ts} of Charles County upon
ag.^t } the Writt of Dimunition between the s.^d partys being
Sam.^{ll} Cressy } openly Read and found deficient, Whereupon Ordered
by the Court here that the s.^d Writt be ren.^d Returnable the 17.th
day of Oct.^r next

Jonathan Hopkinson plt. } The defend.^{ts} being duely Served w.th
ag.^t } the Subpœna to Answer to the Comp.^{lts}
John Wright & } def.^{ts} } Bill It is by the Court Ordered that an
Rich.^d Snowden } attachm.^t issue against them

February 18.th Present

The Right Hon.^{ble} the Lieu.^t Generall
The Hon.^{ble} Phillip Calvert Esq.^r Chancello.^r
The Hon.^{ble} William Talbot Esq.^r Secretary
Edward ffitzherbert Esq.^r

John Halfehead p^t } The plt hath time to Reply whilst the next Liber C D
 ag.^t } Court and then to Come to a hearing by Con-
 Joseph Edloe def.^t } sent of both partys

Joseph Edloe plt }
 ag.^t } This Cause Continued untill y.^e next Court. p. 42
 John Halfhead def.^t } (fol. 50)

John Balley plt } Upon Calling of this Busieness It is Ordered
 ag.^t } by the Court here that the defend.^t Neale have
 James Neale def.^t } time to Examine his Wittnesses whilst next
 Court and that he Rejoyn with the plt this Court

James Neale plt. }
 ag.^t } This Cause Continued untill the next Court
 John Bally def.^t }

Toby Wells plt. . . }
 ag.^t } The Demurrer is Continued whilst next Court
 John Wright def.^t }

Oliver Holloway plt. } Upon Calling of this Cause & the plt
 ag.^t } wanting Some Wittnesses to be Examined
 John Homewood def.^t } It is Ordered by the Court here that the plt
 have time to Examine his Wittnesses whilst next Court, and then
 that publication be made

Edward Pearce plt. }
 ag.^t } This Cause is Continued whilst the next
 Randall Revell def.^t } Court

Nicholas Brooke plt. . . }
 ag.^t } Ordered by the Court here that the de-
 Richard Tilghman def.^t } fend.^t Rejoyn by the next Court

Benjamin Cowell plt. } The partys plt and Defend.^t appearing this
 ag.^t } day this Cause according to an Order of the
 Jonathan Sybrey def.^t } fourteenth of December came to hearing in
 the presence of both partys plt and def.^t and their Attorneys on
 both Sides the Complots Bill and Replication the defendants ans^r (fol. 51)
 and proofs in the said Cause taken being all Read and by this Court
 viewed, and Seriously Considered, together with what could be
 alledged on either Side this Court was all Clearly Satisfied that
 the Release in the def.^{ts} Answers, in Barr pleaded was not a Sufficient
 discharge of the defend.^{ts} against the Complot but that the def.^t
 ought to pay to the Complot the Twenty thousand pounds of Tobacco

Liber C D in the Compts Bill men^oed according to the purpert of the Bill of Sale made thereof by the s.^d William to the Complain.^t Benjamin Cowell w.^{ch} Said Sum^e of Twenty thousand pounds of Tobacco Together with Twelve pounds fifteen Shillings Sterl for his Costs to him adjudged by this Court the s.^d Jonathan Sybry is Ordered and Decreed by this Court to pay to the Complain.^t Benjamin Cowell accordingly.
Phillip Calvert
Will Talbot

Ordered that upon all Rehearings and Dismissions the Costs paid before Rehearing of the Busieness to the defend.^t if the Busieness go for the plaintiff the defend.^t to pay back the Said Costs again to the plt and this Order to be Observed for the future in this Court.

Ordered also that the Reg.^r take fees in this Court as the officers of this Court in England having one penny sterl for Every pound of Tobacco, and that he Compute fifteen lines to be a sheet and Seven or Eight words in each line, and that for Every Such Sheet writing. Ingrossing Copying or Inrolling he Charge but Eight pounds of Tobacco or Eight pence sterling

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c.^a To Jonathan Sybry of the County of Talbot in our said province of Maryland Gentleman Greeting Whereas a Certain finall Judgment or Decree was lately made before us in our Court of Chan^{ry} and there Remaineth upon Record in these words following Whereas heretofore that is to Say on the Eleventh day of february in the year of our Lord God one thousand Six hund.^d Sixty and Eight Benjamin Cowell of London merchant Complainant did Exhibit his Bill of Complaint into this Honourable Court of Chancery of this province ag.^t Jonathan Sybrey of this province planter defend.^t thereby Setting forth that whereas Cuthbert Witham of the City of London merchant did about the first day of february one thousand Six hundred Sixty Seven, And in the Twentieth year of the Reign of King Charles the Second in London Bargaind for to Receive & have of and with the Complain.^t Severall Goods and merchandizes to the value of one hundred pounds Sterling upon the Creditt of Twenty thousand pounds of Tobacco w.^{ch} he the Said Cuthbert Witham Said he had in the hands of Jonathan Sybry the def.^t And of the Same did then in the City of London according to the Law of merchants make and give to the Compl^t an Assurance of Policy by Bill of Sale of the said Twenty thousand pounds of Tobacco t Complain.^t & in the s.^d Instrum.^t did make a Deputation to Said Jonathan Sybrey to deliver the s.^d Twenty thousand pounds tobacco to the Compl^t or his assigns upon Sight of the s Deputation according to the Law of merchants in that Cas sed, And the Compl^t further

sheweth that he did Send to John Morecroft a procuracion into this province in his Stead to Shew unto the Said Jonathan Sybrey the Said Bill of Sale of the Said Twenty thousand pounds of Tobacco in his hands and the Said Deputation to the Said Jonathan Sybrey to deliver the Said Twenty thousand pounds of Tobacco for the use of the Complt who utterly Refuseth to pay the Same according to the Said Bill of Sale Deputation and Authority by him the Said Witham made as is aforesaid though the S^d Sybrey hath far Greater Sumes of Tobacco of the s.^d Witham in his hands, and that he might be Relieved herein according to Justice and Equity, he humbly Craved the Aid of this Hon.^{ble} Court of Chancery and that process of Subpœna might be thereout awarded ag.^t the defend.^t to appear and to Answer make to all Singular the premisses the w.^{ch} being Granted and the s.^d def.^t duly Served therewith appeared accordingly & for plea to the Said Bill Saith that the Scope of the s.^d Comp.^{ts} Bill is that Cuthbert Witham of London merchant did Receive of the Complt Severall Goods and merchandizes to the value of one hundred pounds Sterling upon the Credit as is by the s.^d Bill pretended of Twenty thousand pounds of Tobacco w.^{ch} the Said Witham had in this defend.^{ts} hands, and of which the Said Witham did make to the Comp.^{ts} an Assurance of policy by Bill of Sale according to the Law of merchants and in the Same Instrum.^t did make a deputation to the Said defend.^t to pay the Said Twenty thousand pounds of Tobacco to the Comp.^{ts} or his assigns w.^{ch} the Comp.^{ts} by his Attorney had accordingly Demande and w.^{ch} the defend.^t refused to pay the Same, though he hath far greater Sumes of Witham's in his hands, And therefore he prayeth Relief therein according to the Law of merchants, Whereunto the Said defend.^t for plea Sayth that the Said Cutbert Witham in the Bill named was Long before the time the Bill was Exhibited into the Court by his Release Gen.^{ll} under his hand and Seale and duly Executed bearing date the fifth day of June in the Six and Twentieth year of the Dominion of Cæcilius &c.^a and in the year of our Lord God one thousand Six hundred Sixty and Eight absolutely acquitt and Release this defend.^t of and from all manner of Accounts Suits debts and demands whatsoever and Since the date of the Said Release this defend.^t hath had no other dealings with the said Cutbert Witham whereby this defend.^t did or might become indebted to the Said Cutbert Witham and therefore this defend.^t doth plead the S.^d Generall Release in Barr to the Said Comp.^{ts} Bill of Comp.^{ts} and humbly Submits himself to the Ju.^s of this Honourable Court whether he shall be Compelled to make any other or further Answer to the S.^d Bill and prayeth to be dismissed with his Reasonable Costs to w.^{ch} Answer of the s.^d defend.^{ts} the Comp.^{ts} Replyed and Averred his Bill to be true and Sayth that the Realease in the defend.^{ts} Answer menconed and in Barr pleaded to the Comp.^{ts} Bill was passed by the Said Cutbert

Liber C D

p. 52
(fol. 52)

(fol. 53)

Liber C D Witham to the def.^t in fulfilling and pursuance of a Certain Award & Arbitram.^t made by Edward Lloyd Esq.^r Thomas Notley Gentl bearing date the fourth day of June one thousand Six hundred Sixty and Eight, by w.^{ch} Award & Arbitram.^t the def.^t was Awarded to pay to the Said Cutbert Witham forty Thousand two hundred and four pounds of Tobacco, and the S.^d Cutbert Witham by the Said Award was Enjoyed to Sign and Seal the Said Release in the Answer of the s.^d defend.^t menconed but never Intended by the S.^d Arbitracon that the S.^d Release should Insure and be Construed to Cutt off and discharge the Said Summe of forty thousand two hundred and four pounds of Tobacco So by the Said Arbitratof Awarded to be paid to the Said Cutbert Witham, and the Comp.^{lt} further Saith that he the s.^d Comp.^{lt} is a merchant Residing in the City of London, and the s.^d Cutbert Witham was then a merch.^t Resideing Likewise in the aforesaid City of London and the s.^d Cutbert by a Certain Deed of Sale under his hand & Seale bearing date the first day of ffebruary in the year of our Lord one thousand and Six hundred Sixty and Seven and in the Twentieth year of the Reign of our Sovereign Lord King Charles the Second &c. for & upon Good Causes and valuable Consideracon him thereunto moving Granted Bargained and Sold to the S.^d Benjamin the Complt Twenty thousand pounds weight of Tobacco w.^{ch} was then in the Custody of Jonathan Sybrey of Talbot County in the province of Maryland planter, To have and to hold the Said twenty thousand pounds of Tobacco & Every part thereof to the Complt his Executo.^{rs} Adm.^{rs} & Assigns from the Ensealing and delivery of the Said Deed to his & their use & behoof as his & their own proper Goods and Chattells for Security and Satisfaction of a Debt of one hundred pounds Sterling in Goods & merchandizes Sold and delivered by the Complt to the Said Witham according to the Law of merchants used & approved by o e of which Said Bill of Sale the s.^d Twenty thousand pounds of Tobacco then in the hands of the Said Jonathan Sybrey became according to the Law of merchants from the Said first day of february one thousand Six hund.^d Sixty and Seven to be the proper Goods and Chattells of the s.^d Comp.^{lt} and the Said Complt in his Said Replication further Saith that the Said twenty thousand pounds of Tobacco of the s.^d Cutbert Witham in the hands of the s.^d Jonathan Sybry was become the proper Goods of the Said Replicants & Really Invested in him according to the Law of merch.^{ts} as his own proper Goods and if Since the Said first day of february one thousand Six hundred Sixty and Seven the s.^d Cutbert Witham hath Given any Release of all Claims demands debts and Duties whatsoever due to him from the Said Jonathan Sybrey Since the S.^d first day of ffeb.^{ry} one thousand Six hund.^d Sixty & Seven as the defend.^t in his Answer pretendeth, the Comp.^{lt} then Sayth that, that Release cannot by any Construction in Equity

Extend to a Release or discharge of the s.^d Twenty thousand pounds weight of Tobacco So as aforesaid by him the S.^d Cutbert Witham Sold to this Complt for he the Complt Saith that the property of the Said twenty thousand pounds of Tobacco in him the Said Jonathan Sybreys hands was Legally Invested in this Complt and that any Release made afterwards by him the Said Witham to the s.^d defend.^t (fol. 55) could not according to the Law of merchants acquitt and discharge the S.^d Twenty thousand pounds weight of Tobacco by the Said Deed of Sale as aforesaid Sold to the Complt but that it is Still due to him and the S.^d defend.^t ought to pay the Same to the Comp.^{lt} all which he is Ready to prove averr and maintain in Such manner as the Court Shall Judge fitt & he Concludeth praying as in his Bill he hath prayed the Comp.^{lt} taking out a Comiçon to Examine wittnesses directed to m.^r Robert Slye and Kenelm Cheseldyne w.^{ch} Comiçon being by them returned into Court in due manner Executed the third day of ffebruary one thousand Six hundred Sixty nine by the hands of Kenelm Cheseldyne one of the Comicon.^{rs} Together with depositions of the Wittnesses Examined in this Cause, It was in ffebruary Court Ordered upon the moçon of the Comp.^{lts} attorney John Morecroft that publication Should issue forth, and the Cause to be Sett down for hearing in Aprill Court next following and that a Subpœna Should issue forth to the s.^d Sybrey to appear y.ⁿ to hear Judgm.^t w.^{ch} being duely served and the def.^t appearing & the Cause being now at issue and this day to witt the thirteenth day of Ap.^l one thousand Six hundred & Seventy being Set down for the hearing of the Same before the Hon.^{ble} Phillip Calvert Esq.^r Chancello.^r of this province Jerome White Esq.^r Thomas Truman & Samuëll Chew Esq.^{rs} Justices of the S.^d Court of Chan.^{ry} in y^e p^rsence of the Attorneys on both Sides, upon Reading of the def.^{ts} plea & the proofs taken in the Cause & hearing what could be alledged on either Side Saw no Cause in Equity to give to the Complt any Reliefe in Equity against the Release pleaded & do therefore ord.^r y.^t y^e matter of the Comp.^{lts} Bill from henceforth Stand fully and absolutely dismissed out of this Court with one thousand pounds of Good Sound merchantable Tobacco in Cask to be paid by m.^r Morecroft the Attorney for the Complt to the s.^d defend.^t or his Order in Respect of his s.^d dismissal afterwards that is to Say upon Wednesday the fourteenth of Decemb.^r in the Said year one thousand Six hundred & Seventy upon the motion of John Morecroft Attorney for the Complt in this Co.^{ty} made before the Hon.^{ble} Charles Calvert Esq.^r Chief Judge in Equity Phillip Calvert Esq.^r Chancello.^r of this province and the rest of the Justices of this Court It was Ordered as followeth that is to Say this Cause was the last Court heard & Ordered to be dismissed w.th one thousand pounds of Tobacco Costs to be paid to the defend.^t by m.^r Morecroft Attorney for the Comp.^{lt} in Respect of the said dismissal the said Att.^{ry}

Liber C D for the Comp.^{lt} Cowell tendred the S.^d Costs & prayed Stay of the Said Inrollm.^t and to have the Cause again admitted upon w.^{ch} the Inrollm.^t was Respited till the arrivall in this province of the Right Hon.^{bte} Charles Calvert Esq.^r Chief Judge in Equity and upon mo^oon made y.^e S.^d day in Court by the Attorney Morecroft for the Comp.^{lt} Cowell that the Cause be again heard next Co.^{rt} and that the Said m.^r Morecroft first pay the one thousand pounds of Tobacco Costs Taxed last Court and Give Security to pay further Costs if the Said Bill shall be again the Second time dismissed after w.^{ch}

(fol. 56) there shall be a Summons or Subp.^a issued ag.^t the def.^t Sybrey to Come to hear Judgem.^t as af.^d which Said Sum^e of one thousand pounds of Tobacco for Costs was paid & Security to pay further Costs was Given by the Said John Morecroft according to the S.^d Order and thereupon Subp^{ena} was issued out ag.^t the defendant Sybrey to hear Judgm.^t this next Court w.^{ch} being duely Served & the defend.^t appearing thereupon the Cause Came to hearing this day that is to Say the Eighteenth day of ffebruary in the year of our Lord one thousand Six hundred and Seventy before the Right Honourable Charles Calvert Esq.^r Chief Judge in Equity Phillip Calvert Esq.^r Chancellour of this province and the Rest of the Justices of the Court of Chancery in the presence of both parties Comp.^{lt} and defend.^t and the Attorneys on both Sides the Scope of the Comp.^{lt}s Bill and Replication and the defend.^{ts} Answer appeared to be as is before Set forth and Recited whereupon and upon Reading the defend.^{ts} Answer & the p.^{ts} Replication being Seriously viewed and Considered by this Court Together with the proofs taken in the Said Cause and hearing what could be alledged on Either Side this Court was all Clearly Satisfied that the s.^d Release in the defend.^{ts} answ.^r in Barr pleaded was not a Sufficient discharge of the defend.^t ag.^t the Comp.^{lt} But that the Comp.^{lt} ought in Equity to be Relieved and that the defend.^t ought to pay to the Comp.^{lt} the S.^d Sum^e of Twenty thousand pounds of Tobacco in the Complainants Bill men^tioned according to the purport of the Bill of Sale thereof made by the Said Witham to the Said Complainant Benjamin Cowell w.^{ch} S.^d Sum^e of Twenty thousand pounds of Tob.^o Together with Twelve pounds fifteen Shillings Sterling for his Costs to them adjudged by this Court the s.^d Jonathan Sybrey is Ordered and Decreed to pay to the Comp.^{lt} Benjamin Cowell accordingly, We do therefore hereby Strictly Charge & Comand you that all & Every the matters and things in the Said finall Judgment or decree mentioned Specified and Contained So far as the Same or any of them doe in any ways touch & concern you, you do well & truely observe perform fullfill & keep to all Intents and purposes according to the Teno.^r and true meaning thereof and that you pay unto the s.^d Comp.^{lt} Benjamin Cowell the Said Sum^e of Twenty thousand pounds of Tobacco Together also with twelve pounds fifteen Shill-

ings Sterling for his the S.^d Comp.^{its} Costs of Suit to him adjudged Liber C D
and this you are not to Omitt in any wise under the penalty there-
upon Ensuing. Wittness our Self at our City of S.^t maries the nine
& Twentieth day of may in the nine & thirtieth year of o.^r Dominion
over our Said province of Maryland, Annoꝝ Domini one thousand
Six hundred Seventy and one

Cæcilius &c.^a To the Sheriff of Calvert County Greeting We (fol. 57)
Command thee that by the Oaths of Twelve honest and Legall men
of thy County by whom the truth of the matter may be better known
diligently thou Enquire if it be to the damage of us or others issue
Grant to Edward Keene of the Same County Gentl ten acres of
Land Lying in or near the plantation on w.^{ch} the Said Edward
Keene now dwelleth Called Stockley in Hunting Creek in Patuxent
River in the Said County on Each Side of the Run of Water there
Running Called Hunting Creek aforesaid and on w.^{ch} the Said
Edward hath Set a Certain Water mill with Liberty & Licence to
take fell Cutt down and Carry away by Land or water any wood
or Timber fitt for building of a mill other then Timber fitt for to
Splitt into Clapboards upon any the Lands adjoyning to the Said
ten acres of Land on Each Side of the Said Creek & if it be to the
damage & prejudice of us or others then to what damage & prejudice
of us & to what damage & prejudice of others & of whom & how
& in what manner & how & of who and of whom the afores.^d tenn
acres are holden & by what Service & in what manner & how & of
what value they were by the year according to the True value of
them before any Improvem.^t made of the s.^d ten acres & who are the
present possessors of the S.^d ten acres & who & how many are the
Mesnes between us & the p^rsent possessors of the s.^d ten acres &
what Lands or Tenements Remain to the p^rsent possesso.^{rs} over the
s.^d ten acres and if the Land Remaining to the p^rsent possesso.^{rs}
over the s.^d ten acres will Suffice to uphold their manno^r Viz.^t
the Sixth p.^t of the manno.^r allotted by y.^e Condiçion of plantaçons
for y.^e Demeasne as before y.^e Alienaçon for Building a mill & that
y.^e S.^d possessors in Assizes Juries & Recognitions may be put as
before y.^e alienaçon to that y.^e Co.^{ty} by y.^e alienaçon af.^d in default of
the p^rsent possesso.^{rs} more than was wont be not Charged & Grieved
& y.^e Inquisiçion y^reupon openly & distinctly made to us in y.^e Chan.^{ry}
und.^r the Seale & the Seales of them by whom it was made w.^{thout}
delay then Send Wittness our Self at S.^t maries this 19.th day of
Decemb.^r in y.^e 39.th year of our Dominion over our Said province
Annoꝝ Domini 1670

On the Backside of the foregoing Writt was thus Written I have
Caused Inquisition to be made by the Oaths of Twelve Honest and p.⁴⁹
Lawfull men of my County according as by this writt I am Com- (fol. 57)
manded the further Execution of this Writt appeareth by a Certain
Inquisition Indented to this writt annexed

Chr: Rousby Sher

Liber C D Calvert County

An Inquisition Indented taken at the plantation Called Shockley within the County aforesaid upon the first day of march in the xxxix.th of the Dominion of Cæcilus &c.^a Anno Domini 1670 before me Christopher Rousby Sheriff of the Said County of Calvert by virtue of a writt of ad quod Damnum to me directed issuing out of the high Court of Chancery of this Province of maryland bearing date the nineteenth day of December last past touching and concerning a Certain Water Mill built in Hunting Creek within the Said County by Edward Keene of the Same County Gentl by the Oathes of Twelve honest and Lawfull men of my Said County to witt Arthur Ludford, John Mirth, James Godscross, michael farmer, William Stennett Joseph Baker, Joseph Tilly, John Leach Griffin George Andrew Dicconson, Samuell Goosey & Andrew Henderson who upon their Corporall Oaths Say as followeth viz.^t

Imp^mis. They Say it will not be to the damage of the Right Hon.^{ble} the Lord Proprietary if he do Grant unto Edward Keene afores.^d ten acres of Land Lying in or near the plantation on w.^{ch} the Said Edward now liveth Called Stockley in Hunting Creek in Putuxent River in the Said County on Each Side of the Run of water there Running called Hunting Creek af.^d and on which the Said Edward hath Set a Certain water mill with Liberty and Licence to take fell cutt down & Carry away by Land or water wood or Timber fitt for building of a mill other then Timber fitt for to Splitt into Clapboards upon any the Lands adjoyning to the Said ten acres of Land on Each Side of the Said Creek or Run.

Item. They Say It will be to the damage of James Stockley Twenty Shillings Sterling for that the Said mill is built upon his the Said James Stockley's proper Land and that the ten acres of land Lying on Each Side of the said Runn is part of a Divident of Seven hund. acres Granted by Patent from the Right Hon.^{ble} the Lord Prop.^{ty} unto Woodman Stockley and his heirs, To hold in ffree and Comon Soccage by ffealty only for all Services that the S.^d Woodman Stockley is deceased and the Said James Stockley is his Son & heir

Item. They Say that the s.^d James Stockley is y.^e p^rsented possessor.^r of the Said ten acres of Land

Item. They say that the Said ten acres are together w.th the Residue of the Said Seven hundred acres held as aforesaid as of the manno.^r of S.^t Maries

Item. They Say that the Said ten acres of Land Lying as af.^d was worth by the year before any Improvm.^t thfeof made twelve pence Sterl

Item. That the Said James Stockley hath Remaining over the s.^d ten acres the quantity of Six hundred and ninety acres as Above men^tioned.

Item. They Say that the aforesaid possessor in Assizes, Juries and Recognitions after the Alienation aforesaid may be soe put as before the s.^d Alienation, and that the County by the alienation aforesaid in default of the present possessor will not be Grieved & Charged more than was wont

In witness whereof as well the Juries above menconed as the S.^d Sheriff have hereunto Set their hands and Seales the day and year first above written

Chr:^s Rousby
Sher (Seale)

{ Arthur Ludford	} Sealed	{ J: Tilly	} Sealed
{ John & Mirth		{ John H. Leach	
{ James & Godscross		{ Griffin M. George	
{ Michaelle & ffarmer		{ Andrew A D Dicconson	
{ Will. ^m 29 Stennett	} Sealed	{ Sam. ⁿ S G Goosey	} Sealed
{ Joseph & Baker		{ Andrew Henderson	

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To all persons to whom these presents shall come Greeting in our Lord God Everlasting Whereas by an Act of Generall Assembly made at o.^r Generall Assembly of our Said province of mary^{la} begun and held at our City of s.^t maries the Thirteenth day of Aprill in the xxxvii.th year of our Dominion over our s.^d province Annoq. Domini 1669 Intituled an Act for Encouragem.^t of Such persons as will undertake to build Water Mills, It is amongst other these things Enacted That if any person or psons from and after the last day of June then next should desire to Sett up a water mill upon any Land next adjoyning to any Runn of water within this province not being the proper possession or ffreehold of the Said person or persons nor Leased to them by us or other persons to the Intent therein to Sett a water mill they should purchase our writt out of our Court of Chancery directed to the Sheriff where Such Land Lyeth requiring him by the Oaths of Twelve men of his County to Enquire what damage it would be to us or others to have a mill Sett up in Such a place as afores.^d upon the Return of which writt in Case the person or persons who by the return of the Said Inquest should be found to be the true Owners & possessors of the Land fit to build a mill upon Should refuse to Build a mill thereupon & Should refuse to give Security to us by a bond of fifty thousand pounds of Tobacco with Condition to Build a mill thereon within Twelve months from that day to be Completed & Reckoned and the Same Building to prosecute & finish within Twelve months after the Said Beginning or Laying the foundation as afores.^d for the publike Good of our Said province, It should be Lawfull to and for us and our heirs & Successors or in our or their absence for our and their Lieuten.^t & Chief Governo.^r there

Liber C D for the time being to Grant ten acres of Land fitt to build a water mill upon as afores.^d Together with free Egress & Regress to the Said Water mill either by Land through any man's Land next adjacent or by water Together with Liberty to ffell any Timb.^r for Building the Said Water mill other then Board Timber fitt to Splitt or Cleave into Clapboard for any Time & Term not Exceeding Eighty years then next to come under the yearly Rent of the Land then by the Oaths of Twelve men by virtue of the writt aforesaid Returned to be paid to the Owner of the Land So found & returned as afores.^d w.^{ch} Said Grant from us our heirs & Successors.^{rs} or from our Lieuten.^t or Chief Governour here as aforesaid Should be Good and valuable in Law to the Grantee as afores.^d for any Term of years not Exceeding Eighty years as aforesaid against all prsons whatsoever any Law Custom or usage theretofore had made or used in our Said province to the Contrary thereof in any wise notwithstanding as by the s.^d Act of Gen.^l Assembly Remaining upon Record in our Secretaries office of our Said province Relation being thereunto had more fully and at Large the Same doth and may appear, In pursuance of w.^{ch} Act Edward Keene of Putux.^t River in the County of Calvert Gentl did purchase out of our Said Court of Chancery our Said writt according to the form in the Said Act Set down bearing date the nineteenth day of December in the xxxixth year of our Dominion over our s.^d province directed to our Sheriff of our Said County of Calvert, Counting [sic] Commanding him by the Oathes of Twelve honest and Lawfull men of his Bailywick diligently to Enquire if it were to the damage of us or others if we Granted to the Said Edward Keene ten acres of land Lying in or near the plantacon on which the said Edward Keene now liveth Called Stockley in Hunting Creek in Putuxent River in the Said County on each Side of the Runn of water there Runing Called Hunting Creek aforesaid with Liberty and Licence as afores.^d and how and of whom the Said land was holden and of what value they were by the year according to the true value of them without any further Improvem.^t thereof made and the Inquisition thereupon taken to return to us in to our said Court of Chancery without delay under his Seale and the Seales of them by whom it was made By virtue of which writt our Said Sheriff did Return his Inquisicon Indented into our Said Court of Chancery being duly taken upon the first day of march Instant whereby the Jurors upon their Oaths found that it would be to the damage of James Stockley onely Twenty Shillings Sterling if we should Grant to the said Edward Keene ten acres of Land Lying on Each Side of the Runn of water Called Hunting Creek aforesaid, the Said ten acres Lying on Each Side of the Said Runn and is part of a Divident of Seven hundred acres Granted by patent from the Right Hon.^{ble} the Lord Proprietary unto Woodman Stockley and his heirs, To hold in free and Common Soccage by

freely only for all Services which Said Woodman Stockley is deceased and the s.^d James Stockley is his Son & heir and they Said that the S^d ten acres of Land were worth by the year before any Improvement.^t was made of the Same twelve pence Sterling as by the s.^d writt & Inquisition also Remaining upon Record in our s.^d Court of Chancery more at Large may appear (And Whereas the Said Edward Keene hath built a water mill upon the Said Runn of water Called Hunting Creek according to the true Intent & meaning of the Said Act and the S.^d James Stockley then was & Still is an Infant under the age of one & Twenty years Now Know ye that wee for the Consideration afores.^d & for and in Consideration of the Rents & Services hereafter in this Grant Reserved have demised Granted Lett & to farm Lett and by these presents to demise Grant Lett & to farm Lett unto the Said Edward Keene his Executors.^{rs} Adm.^{rs} & Assigns ten acres of Land Lying on Each Side the S.^d Runn of water Called Hunting Creek in Putuxent River in Calvert County afores.^d now in the possession of the s.^d Edward Keene and whereupon the Said Edward Keene hath Sett and built a water mill as afores.^d with free Egress & Regress to the Said Water Mill either by Land through any man's Land next Adjacent or else by water Together with Liberty to fell Cut down and Carry away by Land or water any wood or Timber fitt for building a mill other than Timber fitt for to Splitt & Cleave into Clapboard upon any Land next adjoining to the Said ten acres of Land on each Side of the Runn aforesaid according to the true Intent of the Said Act To have and to hold the Said ten acres of Land to him the Said Edward Keene his Executors Administr.^{rs} & Assigns from the day of the date of these presents to the full End & Term of four Score years from thence next Ensueing fully to be Completed & Ended yeilding and paying therefore yearly and Every year during the Said Term at the feast of s.^t michael the Arch Angell unto the S.^d James Stockley his heirs Executors.^{rs} Adm.^{rs} or Assigns the Summe of twelve pence Sterling w.^{ch} said Grant of the premisses we do for us & our heirs & successo.^{rs} will & Grant shall Remain & be Good & Available in Law to the said Edward Keene his Executors Administr.^{rs} & Assigns for and during the Terme aforesaid against the Said James Stockley & his heirs & against all & Every other pson or psons whatsoever any Law or Custom had or used in this province to the Contrary notwithstanding Given under the Great Seale of o.^r S^d province of Maryland Wittness o.^r Self at o.^r City of s.^t maries y.^e xxv.th day of march in the year of o.^r Lord 1671 and in the nine & thirtieth year of our Dominion over our said province

Liber CD
p. 52
(fol. 61)

(fol. 62)

Charles Calvert

Cæcilius absolute Lord & Propretary of the provinces of Maryland & Avalon Lord Baron of Baltimore &c To all persons to whom these presents shall come Greeting in our Lord God Everlasting We

Liber C D have Seen the Inrollm.^t of a Certain writing Indented made by
 p. 53 Barnaby and Joseph Edloe to John Halfhead Sealed with the Seales
 (fol. 62) of the Said Barnaby and Joseph (as it is said) In these words This
 Indenture made the ninth day of Decemb^r Anno Domini 1665 Be-
 tween John Halfhead of Calvert County in the province of Mary-
 land planter of the one part and Barnaby & Joseph Edloe of the Said
 County planters of the Other part Witnesseth that the s.^d Barnaby
 and Joseph Edloe as well for & in Consideration of the quantity of
 three thousand pounds of Tobacco and Cask to them in hand paid
 before the Ensealning and Delivery hereof by the s.^d John Halfhead
 whereof and wherewith the Said Barnaby & Joseph Edloe doth
 acknowledge themselves fully Satisfied Contented and paid and
 thereof and of every part and parcell thereof doth acquitt & dis-
 charge the s.^d John Halfhead his heirs Executors and administrato.^{rs}
 & every of them by these presents, as also for divers other Good
 Causes and Considerations them thereunto moving have Granted
 bargained and Sold assigned Sett over and Confirmed and by these
 presents do fully Clearly and absolutely Grant Bargain Sell assign
 Set over and Confirm unto the Said John Halfhead his heirs Exec-
 cut.^{rs} adm.^{rs} & Assigns that hundred acres of Land Scituate Lying
 (fol. 63) and being in Calvert County aforementioned adjoining to the plan-
 tation of the s.^d John Halfhead now in the Tenor or Occupation
 of the s.^d Barnaby & Joseph Edloe and lately in the Tenor or Occu-
 pation of Tho^s Camphire of the Same County all and Singular the
 said parcell of Land Together with all & Singular the Houses build-
 ings Storehouses or Edifices whatsoever thereunto belonging or
 appertaining Together with the Orchards Gardens pastures feeding,
 Comon Comons of pastures Range for hogs, woods Underwoods
 Waters Water Courses, fishings, fowlings, ways, Easements pfts
 Comodities & Hereditam.^{ts} whatsoever unto the Said parcell of Land
 belonging or in any manner appertaining To have and to hold the s.^d
 pcell of Land & all & Singular the premises as before menconed to be
 hereby Bargained and Sold with the Appurtenances and every part
 & parcell thereof whatsoever before named or recited unto the S.^d
 John Halfhead his heirs Executors Administ.^{rs} & assigns for ev.^r
 and the s.^d Barnaby and Joseph Edloe & for themselves their heirs
 Executors and Administrators do Covenant Grant and Agree to &
 w.th that S.^d John Halfhead his heirs Executors Administrators &
 Assigns and every of them by these presents that he the Said John
 Halfhead his heirs Executors administrators & assigns Shall & may
 Lawfully peaceably and quietly have hold Occupy possess and Enjoy
 all and Singular the premisses before by these presents Bargained
 and Sold and every p.^t & parcell thereof with every the Rights
 members and appurtenances without the Lawfull lett Suit Trouble,
 Eviction, Expulsion Interruption or demand of or by the S.^d Barnaby
 or Joseph Edloe or of or by their heirs Executors or administrators or

Liber C D

(fol. 64)

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(fol. 64)

any or either of them or of or by any other person or persons Lawfully Claiming by from or under them or any of them or their or any of their uses or by from or under their or any of their Titles, Estates, means or procurement as also acquitted and discharged, or within convenient time after Reasonable Request made well & Sufficiently Saved & kept harmless of and from all and all manner of former & other Bargain Sales Estates form^r Leases Dower Rights or Titles of Dower Joyntures uses Entailes, wills Rent Charges, Real Services, arrearages of Rents Statutes Recognizances Judgments Execucons Titles, troubles, Charges and demands whatsoever had made Done Comitted or wittingly or willingly Suffered by the s^d Barnaby & Joseph Edloe their or assigns or any of them or of or by any other person or persons whatsoever Lawfully Claiming by from or under them or any of them or to their or either of their uses or by their or either of their Titles Estates means or procurem.^t And the Said Barnaby & Joseph Edloe for themselves their heirs Executors^{rs} and Administrators all & Singular the before bargained premisses w.th their appurtenances and every part & parcell thereof unto the Said John Halfhead his heirs Executors Administrato^{rs} & assigns to the Intent & meaning afores.^d shall & will warrant & for ever defend by these presents the Rents & Services w.^{ch} from hence forth from time to time for & in Respect of the aforementioned p^rmisses hereby Sold w.^{ch} shall Grow due and payable to the Chief Lord & Lords of the fee or fees thereof for or in Respect of his or their Seigniority or Seigniories only Excepted & foreprized. In Wittness whereof the parties first above named have to these present Indentures Interchangeably Sett their hands & Seals the day and year first above written Barnaby X Edloe his mark Sealed Joseph R Edloe his mark Signed Sealed Delivered Together with possession by livery and Seizin by Turfe & Twig in the presents of John Powick, John Ʒ Wiseman his mark Sworn in open Court by John Wiseman one of the Witnesses to the within menconed Conveyance that before the decease of Barnaby Edloe the said Conveyance was by the S.^d Barnaby in the Said Wiseman's presents to the Said John Halfhead Delivered as his Act and Deed done this fourth day of January one thousand Six hundred Sixty five acknowledged in open Court by Joseph Edloe to be his Act and Deed the day and year above written Daniell Jenifer Clk John Powick Sworn idem Wiseman and this we do notify to all who have or shall have any Interest in the premisses by these presents In Testimony whereof the Great Seal of our s^d province of Maryland to these presents we have Caused to be appended the Eighth day of August in the fortieth year of our Dominion over our Said province Annoq^{ue} Domini one thousand Six hundred Seventy and one Wittness our Self at our City of S.^t maries in our Said province of Maryland.

fees posted

Liber C D
(fol. 67)

p. 55
(fol. 67)

(fol. 68)

(fol. 69)

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To all our officers and Inhabitants of our said province of Maryland and To all others whom these presents may concerne Sendeth Greeting in our Lord God Everlasting Know ye that Whereas by our Letters Patents und.^r our Great Seale bearing date third day of Novemb.^r in the Seven and thirtieth year of our Dominion Annoq Dom one thousand Six hundred Sixty and Seven We did Grant to our Well beloved Inhabitants within the City Called or known by the name of S.^t Maries City in the County of S.^t maries in the Said province of Maryland and the Circuits precincts and priviledged places of the said City not exceeding the Space of one English mile Square that they the s.^d Inhab.^{ts} within the Said City Circuits and precincts aforesaid Shall be an Incorporated City of one Mayor one person Learned in the Law by the name of a Recorder and Six Aldermen and ten persons as Common Councilmen Inhabiting within the S.^d City for ever more And that the S.^d Mayo.^r Recorder Aldermen and Common Councilmen Shall be a Body Incorporate and one Community for ever in Right and in name and Shall be by the name of Mayor Recorder, Aldermen & Common Council of the City of S.^t maries City able and Capable at Law to be Sued and to Sue and to Act Execute and do as a Body Incorporate and to have Succession for Ever and to that End to have a Common Seale and that Phillip Calvert Esq.^r one of the Inhabitants of the s.^d City shall for the present be and be named mayo.^r of the s.^d City for the Ensuing year & Jn.^o morecroft Recorder of the Same and William Calvert Esq.^r Jerome White Esq.^r Daniell Jenifer, Garrett Vansweringen, Marke Cordea and Thomas Cosden Inhabitants also of the s.^d City Shall be Aldermen thereof as Long as they shall well behave themselves therein having first taken the Oath of ffidelity as also the Oath appointed by us to be taken by the mayo.^r Aldermen and Recorder of the City of s.^t maries City and to be administred unto them Respectively by our Lieutenant of the Said province for the time being or by Such person or persons as we or our heirs or our Lieuten.^t of the said province for the time being Shall from time to time Authorize and appoint to Administer the Same And the Said Mayo.^r Recorder and Aldermen or the majo.^r part of them shall Elect and Chuse ten others of the most Sufficient Inhabitants of the S.^d City to be of the Common Council thereof for So Long time as they shall well behave themselves.

Cæcilius &c To our Trusty and Well beloved Henry Adams Gentl Thomas Mathews Gent in the County of Charles County Greeting We Command you that by the Oath of Twelve Good & Lawfull men of yo.^r S.^d County of Charles County by whom the truth of the matter may better be known that you Diligently Enquire what

Lands & Tenements Simon Oversee held of us in his Demeasne as of fee at the time of his Death and of what manne.^r and by what Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the S.^d Simon Oversee Dyed & who is his next heir & of what age the heir is and who those Lands & Tenem.^{ts} from the time of the S.^d Death of the Said Simon hath or doth Occupy & the issues & profits hath or doth Receive & by what Title & how & in what manner and the Inquisition thereof Distinctly & openly made to us in our Chancery under your hands & Seals & the hands and Seals of them by whom it shall be made without delay you Send and this writt Wittness our Self at our City of s.^t maries the 10.th day of October in the 40.th year of our Dominion over our Said province Annoq Dom 1671.

Liber C D

p. 56
(fol. 69)

On the Backside of the abovementioned writt was thus written

This Execution of this Commission doth appear by an Inquisition hereunto Annexed

Hen : Adams
Tho.^s Mathews

By virtue of a writt of Mandamus to us Henry Adams and Thomas Mathews directed from the Right Hon.^{ble} the Lord Prop^{ry} of this Province We Command you that you Cause Twelve Good and Lawfull men of your Bailiwick to come before us at Portobacco on Tuesday next then and there diligently to Enquire what Lands and Tenem.^{ts} Simon Oversee held of the s.^d Lord prop.^{ry} in his Demeasne as of ffee at the time of his Death and of what manno.^r and by what Services and how much those Lands & Tenements are of value by the year in all issues and at what time the S.^d Simon Oversee Dyed & who is his next heir & what age he is of and who those Lands and Tenem.^{ts} from the time of the Death of the Said Simon Oversee hath or doth Occupy & the issues & profitts hath & doth Receive and by what Title and how and by what manner and for yo.^r So doing this shall be your warrant Given under our hands and Seales this 10.th of Decem.^r in the 40.th year of the Dominion of Cæcilius &c^a Annoq Dom 1671

To the Sheriff of }
Charles County }

Hen. Adams (Sealed)
Tho : Mathews (Sealed)

By virtue of this precept I have Caused twelve men of my Bailiwick whose names are under written to come before the Commission.^{rs} abovementioned at y.^e day & place above written to make Inquisition as aforesaid

Edmond Lindsey	} Ja ^s Littlepage	} Benj. ^a Rozer		
John Courts			Barth : Coates	Sheriff
Alex. ^r Smith			ffran : Heyden	Comita Caroli
Archi : Wahob			John Alward	
John Paine			John Kimberrow	
Clem ^t Theobalds	Sam ^l Eaton			

Liber C D An Inquisition Indented taken at Portobacco in Charles County this 13.th of December in y.^e 40.th year of y.^e Dominion of Cæcilius &c.^a before Henry Adams Gent & Thomas Mathews Gent by virtue of a Commission in the nature of a writt of Mandamus to them directed to this Inquisition Annexed to Enquire after the Death of Simon Oversee Late of Charles County deced by the Oath of Edmond Lindsey, John Courts Alexander Smith, Archibald Wahob, John Paine Clement Theobald, James Littlepage Barthe: Coates, ffrancis Heyden John Alward, John Kimberrow Samuell Eaton which Said Jurors upon their Oaths Say that the S^d Symon Oversee was Seized of his Demeasneas of ffee upon the day of which he dyed which was about the Beginning of ffebruary Anno Domini 1659 of one Thousand acres of Land Lying Scituate and being on the East Side of Portobacco Creek in Charles County aforesaid being the Southermost part of two thousand acres of Land Granted by the Lord Prop:^{ty} of the province of maryland unto Lieuten.^t William Lewis according to his Grant under the Broad Seale of this province bearing date the 26.th day of Octob.^r Anno Domini 1649 as by the Said Grant Recourse being thereunto had doth and may appear and by the s.^d Lieuten.^t William Lewis Sold unto Job Chandler and the Said Simon Oversee of which two Simon Oversee was the Survivor w.^{ch} Said Land was holden of his Lpps manno.^r of West S.^t maries in free and Comōn Soccage by ffealty only for all manner of Services yelding & paying yearly unto the Lord Proprietary forty Shillings Sterling or Twenty Bushells of Good Indian Corne And the afores^d Jurors do further find that the afores^d Simon Oversee at the time of his decease as aforesaid was Seized and Dyed possessed of five hundred and fifty acres of Land called Rotterdam Lying on the East Side of the Eastermost branch of Nancemy Creek And further the Said Jurors Say that the S.^d Simon Oversee at the time of his Death was Seazen in his Demeasne of Six hund.^d acres of Land Called Stoopside whereon John Caine Lived then & doth Still live and that the s.^d Land (as they humbly conceive were held of his Lpps manno.^r of West S^t maries and by Such Services as was usually Expressed in his Lpps Grants about that time and further the said Jurors do find no heir that the Said Simon Oversee had, And the s.^d Jurors do find further that the thousand acres first mentioned bought of William Lewis is in the possession of Edmond Lindsey by virtue of a Lease from Isaac Allerton who married the Relict of the Said Simon Oversee Granted to him the Said Edmond Lindsey for Twenty one years whereof there is about Eight years Expired out of w.^{ch} Thousand acres there is two hundred acres or thereabouts now in the possession of m.^{rs} Ann fflowke by virtue of a Lease Granted by the Said Edmond Lindsey unto George English late of this County in whose possession it was three years or thereabouts and then Sold by him unto Coll.^o Gerrard fflowke late husband

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(fol. 71)

(fol. 72)

of the Said m.^{rs} Ann fflowke in whose possession it hath been four year or thereabouts and also four hundred acres or thereabouts now in the possession of ffrancis Kilborne & Elizabeth his wife the Relict of Daniell Johnson of Charles County by virtue of a Lease Granted by the Said Edmond Lindsey unto William Price late of this County deſc'd in whose possession it was one year or thereabouts & then purchased by Dan.^{ll} Johnson in whose possession it hath been this five years or thereabouts and also one hundred & fifty acres or thereabouts now in the possession of m.^r Benjamin Rozer by virtue of a Lease Granted from the Said Edmond Lindsey in whose possession it hath been this three years or thereabouts as also one hundred acres of Land more or thereabouts now in y.^e possession of Phillip Brown by virtue of a Lease Granted by the Said Edmond Lindsey in whose possession it hath been this four years or thereabouts the profitts and benefitts thereof hath been Enjoyed & Received as we humbly conceive by the parties before menſioned and more over the Said Jurors do find that the Six hundred acres before menſioned was at the time of the Death of the Said Simon Oversee in the possession of John Cane and doth Continue in his possession to this day & we do Conceive the Said John Cane hath & doth Enjoy the profitts and benefits of the Same & the other five hundred & fifty acres of Land is not Seated & we do humbly conceive that the Said Lands may be worth forty three Shillings Sterling p Annum, In Testimony whereof as well the Commission.^{rs} as the Jurors afore-said in the present Indenture have Interchangeably Set their hands & Seales the day and year first abovewritten

Liber C D


p. 58
(fol. 72)

(fol. 73)

Henry Adams (sealed)

Tho: Mathes (sealed)


his

Edmond  Lindsey (sealed)


mark

John Courts (sealed)


his

Alexand:  Smith .. (sealed)

mark

Archibald  Wahob . (sealed)

his mark

John  Price (sealed)

mark

Clement Theobald (sealed)

James Littlepage (sealed)

Bartholomew Courts .. (sealed)

ffrancis Heyden (sealed)

John  Alward (sealed)

his mark

John R Kimberrow ... (sealed)

his mark

Samuell Eaton (sealed)

On the Backside of a writt of of quem diem Clausit Extremum upon the Estate of Peter James Johnson Intr ffo 570 was thus written.

The Execution of this writt appears by a Certain Inquisiſiōn here-unto Annexed

Thomas Sprigg

Richard Perry

Liber C D Calvert County ss

An Inquisition Indented taken at s^t Leonard's Creek the 11.th day of Decemb.^r in the 40th year of the Dominion of Cecilus &c^a Annoq^d Dom 1671 before Thomas Sprigg & Richard Perry Gent by virtue of a writt to them directed & hereunto annexed by the Oaths of John Grammer Samuell Sprigg, John Parry John Martin, Francis ffoockes, Edward Armstrong Samuell Graves, Michael Higgin John Norwood Samuell Taylor William Wilkenson and Samuell Styles who upon their Corporall oaths Say that Peter Johnson in the writt named the day that he dyed was Seized in his Demeasne as of fee of one Tract of Land Lying on the north Side of Putuxent River near a Creek Called S^t Leonards Creek Beginning at a marked oake in the Woods near a hollow Called Johnson's Hollow Bounding on the north with the Hallow and a line drawn East into the Said Creek from the Said Hallow on the East with the Said Creek on the South with the Said Creek on the west with the Land of William Stone Esq.^r Containing by Estimation Two hundred and Sixty acres more or Less the Same Land being held of his Lordship's the Lord prop.^r and his heirs as of the manno.^r of S.^t Maries in free and Common Soccage by fealty only for all Services being yearly worth above all Reprizes five Shillings two pence half penny farthing Sterling that he the S.^d Peter Johnson dyed about the month of Aprill in the year 1660 and that James Johnson was Brother and heir to the s.^d peter.

Item The Jurors abovenamed further Say that the Said James Johnson in the writt named the day that he dyed was Seized in his Demeasne as of fee of one Tract of Land Called Island neck Beginning at a marked oake standing by a marsh near the head of a Creek Called the Island Creek on the west Side thereof and Running down the Creek into the Said River for Length Six hundred Eighty and five perches bounding on the South with the Said River for the Length of fifty pches to a Creek Called the Back Creek on the west with the Said Creek for the Length of four hundred and five perches to a marked beech Tree and with a line drawn north and by East from the Said Beech for the for y^e Length of Two hundred & Seventy pches to a marked oake on the north with a line drawn East from the Said Oake into the Island Creek on the East with the Said Creek Containing by Estimation Six hundred acres more or Less the Same Land last menconed being hold of his said Lpp^r and his heirs as of their Said manno.^r of S.^t Maries in free & Common Soccage by fealty only for all Services being yearly worth in all issues above Reprizes Twelve Shillings Sterling, and that the Said James Johnson Dyed, about the month of february in the year 1660 & that y^e Said James Johnson dyed without any Lawfull heir by which means as well the afores.^d Tract of Land late in the possession of Peter Johnson aforesaid as also the afores.^d Tract of

Land late in the possession of James Johnson aforesaid did both of Right Escheat into the hands of his Ldp the Lord Prop.^{ty} and that William Dorrington of Dorchester County planter hath Ever Since the Death of the s^d James Johnson & still doth hold the af.^d Tracts of Land in Right of his S. Lpp the Lord prop.^{ty} and that neither the S.^d Peter Johnson nor James Johnson had any more or other Estate of Inheritance within this County of Calvert to the knowledge of the Jurors abovesaid in Wittness whereof as well the s.^d Thomas Sprigg and Richard Perry as the aforesaid Jurors have hereunto Set their hands and Seals the day & year first above written

Liber C D

Thomas Sprigg (sealed)

Rc: Perry (sealed)

John Grammer (sealed)	Sam. ^d Graves (sealed)
Sam. ^d Sprigg (sealed)	Mich. ^d Higgen (sealed)
John <i>JP</i> Parry (sealed)	John Norwood (sealed)
John <i>8</i> Marton (sealed)	Sam. ^{ll} Taylor (sealed)
ffrancis ffookes (sealed)	W. ^m W Wilkenson .. (sealed)
Edward <i>ED</i> Armstrong (sealed)	Sam. ^d Styles (sealed)

On the Back Side of a writt of quem diem Clausit Extremum on William Battin's Estate was thus written viz.^t

p. 60
(fol. 76)

The Execution of this Commission appears by an Inquisicōn by us taken and hereunto annexed

Hon: Adamas
Tho: Mathews

By virtue of a Commission in the nature of a writt of Mandamus to us directed these are in the name of the Right Hon.^{ble} the Lord Prop.^{ty} to Command you that you Cause Twelve Good & Lawfull men of your Bailiwick to appear before us at m.^r Boules his house at Pechawaxen on the first day of ffebruary next there to Enquire whether William Battin late of Charles County deēd was Seized in his Demeasne as of ffee at the time of his Death of a Certain Tract of Land in Charles County on the north Side of Potomock River near Cæder point & Lying in Pickewaxen Creek Containing five hundred acres or thereabouts & Since in the possession of John Bowles Gentl and of what manno.^r the said parcell of Land was holden and by what Services and how much the Same is of value by the year in all issue & profits & at what time the S^d Battin Dyed and who is his next heir or heirs, and of what age the Said heir or heirs are and who the Said parcell of Land from the time of the Death of the Said William Battin have did or doth Occupy and the issues & profits had did & doth Receive and how and by what manner hereof fail not and have you there this writt Given under our hand this 25.th of ffebruary in the 40.th year of his Said Lordship's

vide writt
fol. 571

Dominion Annoq Dom 1671
To the Sheriff of Charles County
or his Deputy
or To William Gather

Hen: Adams
Tho: Mathews

Liber C D By virtue of this Præcept I have Caused Twelve Good & Lawfull
(fol. 77) men of my Bailiwick whose names are hereunder written to Come
at the time and place within named as I am by this Precept Com-
manded.










Robert Henly	John fferson
John Douglass	William Hinsey
John Worland	Hugh Thomas
Will Marshall	Peter Carr
Rich. ^d Dod	John Harvey
Thomas Gibson	Richard Smoote
	Benj. ^a Rozer Sher.

An Inquisition Indented & taken at Pechawaxen in the County
before us Henry Adams & Thomas Mathews by virtue of a Com-
mission in the nature of a writt of Mandamus hereunto annexed to
Inquire by the Oaths of Twelve Good and Lawfull men of the Said
County whether William Battin late of Charles County deced was
Seized in his Demeasne as of ffee at the time of his Death of a
Certain Tract of Land in the said County on the north Side of
Potomock River near Cædar Point & Lying in Pechawaxen Creek
Containing of five hundred acres or thereabouts Sometime Since in
the possession of John Bowles Gentl of what manno^r the Said parcell
of Land was holden and by what Services and how much the Same
is of value by the year in all Issues and profits and at what time
the Said William Battin dyed and who is his next heir or heirs and
of what age the Said heir or heirs are and who the Said parcell of
Land from the Death of the S.^d William Battin have did or doth
Occupy and the issues & profits hath did and doth receive and by
what Title and how and by what manner by Robert Henly, John
Douglas John Worland William Marshall Richard Dodd, Thomas
Gibson, John fferson William Hinsey, Hugh Thomas, Peter Carr,
John Harvey Richard Smoote Good and Lawfull men of the Said
County of Charles Co.^{ty} who Sworn upon their Oaths Say That
Cap.^t Will.^m Battin late of Charles County deced was possess of and
Dyed in possession although he were not Lawfully Seized as of ffee
at the time of his Death of the Land above mençoned by Reason
that there appeareth not any Lawfull Title to Coll.^o Samuell Smith
of Virginia from whom the Said William Batten purchased the
Same and that the Said William Batten dyed about the Last of
October Anno Dom 1662 and that the Said Land was and Continued
in the possession of Margery Batten the Relict of the Said William
Batten till the fifth of may Anno Dom 1663 or thereabouts, and
from that time till the day of the date hereof in the possession of
John Bowles Gentl who married the Said Relict. And further they
Conceive that the Said Margery Batten during her widowhood and
the afore named John Bowles from that time till this present the

Liber C D

Rents issues & profitts have Received which we Conceive may be worth the value of Tenn Shillings by the year, In Wittness whereof as well the Jurors above named as we the aforesaid Henry Adams & Tho.^a Mathews to these Indentures have Sett their hands and Seals this first day of ffebruary in the 40.th year of the Dominion of Cæcilius & over this province Annoq Domini 167½

Henry Adams (sealed)
Thomas Mathews (sealed)

Robert  Henly (sealed) his mark	John  fferson (sealed) his mark
John Douglass (sealed)	Will. ^m  Hinsey..... (sealed)
John Worland (sealed)	his mark
Will. ^m  Marshall .. (sealed) his mark	Hugh  Thomas ... (sealed) his mark
Rich. ^d  Dod (sealed) his mark	Peter  Carr (sealed) his mark
Thomas  Gibson .. (sealed) his mark	John Havey (sealed) Rich:  Smoote (sealed) his mark

On the Back side of a writ ad quod Damnum was thus written viz.^t

The Execution of this writt is by a Certain Inquisition hereunto annexed

Tho: Taylor Sheriff

An Inquisition Indented and taken in the County of Dorchester the Seventh day of march in the fortieth year of the Dominion of Cæcilius before me Thomas Taylor Sheriff by twelve honest & Lawfull men of the County, Arthur Wright foreman, W.^m Dorrington Henry Barker, W.^m Worgin, Anthony Dawson, W.^m Brice, W.^m Willoby, Edw.^d Cooke, Henry Turner, Nicholas Mace, Morris Mathews W.^m marchant Say upon their Oath that Francis Tarsell, Thomas ffisher & John Kirke are the possessors of a parcell of, being part of a parcell of Land Called Rickenstone Containing 200 acres Lying within the Bounds of a Tract of Land that by an Act of Assembly made at S:^t maries by an assembly held and begun the thirteenth day of Aprill 1669, was given to the Indians, and the Said parcell of Land being taken from the aforesaid possessors by the aforesaid Act, are damnified by the afores.^d Land Cleared, Ground and fencing the Sum of Eight Thousand pounds of Tobacco

p. 62
(fol. 79)

Item by four forty foot Tobacco houses the Sum of Six thousand four hundred pounds of Tobacco

Item by one five and twenty foot dwelling house with a Shed and an Outside Chimney the Sum of one thousand two hundred pounds of Tobacco

Liber CD Item by one ten foot Hen house the Sum of one hund.^d pounds of Tob.^o

Item by Trouble of Transportation and other damages that they were at in Setling and seating of the af.^d parcell of Land the Sum of Six thousand pounds of Tobacco

Likewise Daniell Jones is the possessor of a parcell of Land being the other part of a parcell of Land Called Rickenstone Cont.^a 100 acres Lying within the Bounds of a Tract of Land that by an Act of Assembly made at s.^t maries by an Assembly held and begun the thirteenth day of Aprill 1669 was Given to the Indians and the Said parcell of Land being taken from the afores.^d possessor by the aforesaid Act is Damified by the Said Land Cleared Ground and fencinge the Sum of Six Thousand pounds of Tobacco.

Item by one fifty foot Tobacco house y.^e Sum of two thous.^d p.^{ds} Tob.^o

Item by one by an fifty foot dwelling house y.^e Sum of one thous.^d p.^{ds} Tob.^o

Item by one hen house of ten foot y.^e Sum of one hund.^d pounds Tobacco

Item by trouble of transporting & other Damages that he was at in Settling and Seating the aforesaid Land the Sume of five thousand pounds of Tobacco

(fol. 80) Likewise that John Phillips doth hold by virtue of a Grant from the Right Hon.^{ble} the Lord Prop.^{ty} formerly Granted to Henry Mitchell and Since Sold to the said Phillips a parcell of Land Containing one hundred acres the w.^{ch} Said parcell of Land Alapscoc and his people are in possession of, the w.^{ch} Said Land being valued at three thousand pounds of Tob.^o To which as well the S.^d Thomas Taylor Sheriff as we the Said Jurors have hereunto Set our hands & Seals the day and year above written

A. Wright foreman... (sealed)	Sign
W. ^m Dorrington (sealed)	Will. ^m <i>W</i> Willoby sealed
Henry Parker (sealed)	Edward Cooke sealed
Tho Taylor (sealed)	Henry Turner sealed
Signum	Signum
Will. ^m <i>W</i> Worgin ... (sealed)	Nicho. ^l <i>N</i> Mace sealed
Anthony Dawson sealed	Signum
Will. ^m Brice sealed	Morris <i>W</i> mathews sealed
	Signum
	Will. ^m <i>M</i> marchan sealed

p. 63
(fol. 80) Cæcilius &c.^a To all persons to whom these presents Shall come Greeting Know ye that we have Committed to our Trusty & well beloved Luke Gardener Gentl Sheriff of our County of S.^t Maries our Said County with the appurtenances to be by him kept during

our pleasure So as he render unto us yearly our firm dues and
answer unto us our Just Rights and for all others things belonging
to the office of high Sheriff of our Said County before our Chief
Justice of our Said province Given at our City of S.^t Maries under
our Great Seale of our Said province Wittness our Self at S.^t Maries
afores.^d the 26.th day of Aprill in the xxx.th year of our Dominion
over our Said province Annoq̄ Dñi 1672. Liber C D
Charles Calvert

Cæcilius &c.^a To all Gentlemen freemen and other persons of our
Co.^{ty} of S.^t maries Greeting Whereas we have Committed to our
Trusty & Well beloved Luke Gardener Gentl sherif of our s.^d Co.^{ty}
our s.^d Co.^{ty} with the appurtenances to be by him kept during our
pleasure We do therefore Command you and Every of you that you
be aiding & assisting to the Said Luke Gardener as high Sheriff of
our Said County in all things that to the office of high Sheriff of o.^r
S.^d Co.^{ty} doth appertain, Given at our City of s.^t maries und.^r the
Great Seal & o.^r Said province, Wittness our Self at S.^t maries the
26.th Aprill in the xxx.th year of o.^r Dominion over o.^r Said province
Annoq̄ Domini 1672 Charles Calvert

Cæcilius &c.^a To John Jarbo Gentl late high Sheriff of our County
of s.^t maries Greeting Whereas we have Comitted to our beloved
Luke Gardener Gentl our Said County of S.^t maries with the appur-
tenances to be by him kept during our pleasure We do Command
you that by Indentures to be duely made & Executed Between you
and the Said Luke Gardener, you deliver unto him the Said Luke
Gardner the Said County with all Rolls Writts Records and other
matters and things to the office of high Sheriff belonging and w.th
are in your Custody, hereof you are not to fail at your peril, Witt-
ness o.^r Self at o.^r City of S.^t Maries the 26.th Aprill in the 40.th
year of o.^r Dominion over o.^r S.^d province Annoq̄ Domini 1672
Charles Calvert

Cæcilius &c. To all to whom these presents shall Come Greeting (fol. 81)
Know ye That we have Comitted to our Trusty and Well beloved
Thomas Carelton Sheriff of our County of Balt.^e our S.^d County
w.th the appurtenances to be by him Kept during o.^r pleasure So as
he render unto us yearly o.^r firme dues and Answer unto us our
Just Rights and for all other things belonging to y.^e office of high
Sheriff of our Said County before o.^r Chief Justice of our Said
province Given at our City of s.^t maries und.^r the Great Seale of our
s.^d province of maryland Wittness our Self at s.^t maries af.^d the
Eighteenth day of Aprill in y.^e fortieth year of our Dominion over
o.^r Said province Annoq̄ Dñi 1672 Charles Calvert

Liber C D Cæcilius &^c To all Gentlemen ffreemen & other psons of o^r Co.^{ty} of Baltemore Greeting Whereas we have Comitted to o^r Trusty & Well beloved Thomas Carleton Gentl Sheriff of o.^r Said Co.^{ty} our s^d Co.^{ty} w.th the appurtenances to be by him kept during o.^r pleasure We do therefore Command you and Every of you that you be aiding & assisting to the S.^d Thomas Carleton as high Sheriff of o.^r Said County in all things that to the office of high Sheriff of o.^r S.^d Co.^{ty} doth appertain. Given at our City of S.^t maries under the Great Seal of our Said province of Maryland, Wittness our Self at s.^t maries aforesaid the 18.th day of Aprill in the xxx.th year of our Dominion ov.^r o.^r s.^d Province Annoq̄ Dñi 1672. Charles Calvert

p. 64
(fol. 81)

Cæcilius &^c To Nathaniel Styles late Sheriff of our County of Baltemore Greeting Whereas we have Comitted unto our beloved Thomas Carleton Gent our s.^d County of Baltemore with the appurtenances to be by him kept during our pleasure we Command you that by Indentures to be duly made & Executed Between you & the s.^d Tho^s Carleton you deliver unto the s.^d Thomas Carleton the s.^d Co.^{ty} with all Rolls writts Records & other matters & things to the office of high Sheriff belonging & w.^{ch} are in your Custody, hereof you are not to fail as you will Answer the Contrary at yo^r peril Given under the Great Seal of our said province of maryland Wittness our Self at our City of s.^t maries the Eighteenth day of Aprill in the 40.th year of our Dominion over our Said province Annoq̄ Domini 1672
Charles Calvert

John Gilbert ad Sher Sommerset County Ne. Ex: Prov.^m versus
Phillip Shapleigh Teste 15.^o may 1672.

Cæcilius absolute Lord & Prop.^{ty} of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c To Thomas Howell, Nathaniell Styles, George Utye, George Wells, John Vanheck, James ffrisby, Richard Ball, Augustine Harman Henry Ward, Abraham Wilde, Thomas Long, William Hollis, Joseph Hopkins & William Toulson Gent Know ye That we for the Great Trust & Confidence That we have in yo.^r ffidelities, Circumspections providence & Wisdoms have Constituted Ordained and appointed and by these p^rsents do Constitute Ordain & appoint you the Said Thomas Howell Nathaniell Styles, George Utye George Wells John Vanheck James ffrisby Richard Ball Augustine Harman, Henry Ward Abraham Wilde Thomas Long William Hollis, Joseph Hopkins & Will.^m Toulson Gent Comission.^{rs} Joyntly and Severally to keep the peace in Baltemore County in the S.^d province & to keep & Cause to be kept all Laws & Orders made for the Good & Conserva^on of the peace & for the quiet Rules & Government of the people in all & Every the Articles of the Same and to Chastize and punish all psons

(fol. 82)

offending against the form of any the Laws and orders of this of
 province or any of them in Baltemore County afores.^d according to
 the form of the Said Laws & orders Shall be fitt to be done, We have
 also Constituted and Ordained you & Every four or more of you
 of which you the S.^d Thomas Howell, Nathaniell Styles, George
 Utye, George Wells, John Vanheck & James ffrisby unless one of
 our Council be present are always to be one, To be Commission.^{rs}
 to Enquire by the Oaths of Good & Lawfull men of our County
 aforesaid of all manner of ffelonies Witchcrafts & Enchantments,
 Sorceries Magick Act, Trespasses forestalling, Ingrossing, Extor-
 tions whatsoever and of all and Singular misdeeds and offences of
 which Justices of the peace in England may or ought Lawfully to
 Enquire by whomsoever or whensoev.^r done or Perpetrated or
 which hereafter Shall happen to be done or perpetrated in the County
 afores.^d against the Laws & Orders of this province Provided that
 you proceed not in any the Cases aforesaid to take life or member,
 But that in Every such Case you Send the prisoners with their
 Indictm.^{ts} and the whole matter depending before you to the next
 Provincially Court To be holden for this our province whensoever or
 wheresoever To be holden there to be Tryed, And further We hereby
 Authorize you to issue writts pcess Arrests & attachm.^{ts} To hold
 plea of hear & Determine & according to the Laws ord.^{ts} & Reason-
 able Customs w.^{ch} in this our province after Judgm.^t Execution
 to Award in all Cases Civill whether in Actions Reall or personall
 where the thing in Action doth not Exceed the value of Three
 thousand pounds of Tobacco in which Cases Civill So to be Tryed
 We do Constitute Ordain & appoint you the Said Thomas Howell,
 Nathaniell Styles, George Uty George Wells, John Vanheck James
 ffrisby to be Judges as af.^d unless Someone of our Council be there
 present in Court And therefore We Command you that you diligently
 Intend the keeping of the peace Laws and orders & all & Singular
 other the p'misses And at Certain days appointed according to Act
 of Assembly in that Case provided and Such places as you or only
 four or more of you as aforesaid Shall on that behalf appoint you
 make Inquiry upon the premisses & pform and fulfill the Same in
 form aforesaid doing therein what to Justice Appertaineth according
 to the Laws orders and Reasonable Customs of this our province
 Saving to us the Amerciaments & other things thereof to us belong-
 ing, And therefore We Command the Sheriff of the s.^d County by
 virtue of these presents that at the days and places afores.^d w.^{ch} you
 or any Such four or more of you as afores.^d Shall make known
 unto him to give his attendance on you and if need require to Cause
 to Come before you or any Such four or more of you as aforesaid
 Such and So many Good & Lawfull men of your County by whom
 the truth in the p'misses may the better be known & Enquired of
 And Lastly we have appointed Thomas Salmon Clerke and keeper

p. 65
 (fol. 82)

(fol. 83)

Liber C D of the Records & proceedings in this your County Court And therefore you shall Cause to be brought before you at the Said days & place the Writts precepts process and Indictments to your Court
 (fol. 84) and Jurisdiction belonging, That the Same may be Inspected and by a due Course determined Given at our City of S.^t maries this nineteenth day of may in the 40.th year of our Dominion over our s.^d province Annoq Dñi 1672 Charles Calvert

p. 66
 (fol. 84) Cæcilius &c To our Trusty & Well beloved Thomas Howell and George Uty Gent Greeting Whereas we have lately by o.^r Commission under our Great Seale of our Said province, Nominated Constituted and appointed you the Said Thomas Howell and George Uty and the Severall other persons in the s.^d Commission named to be Commissioners & Justices for y.^e keeping the peace in and for our County of Baltemore County with full power and Authority to keep our County Court there at Such days & times as by the Law in that Case made is provided now Know ye that we reposing Great Trust and Confidence in yo.^r fidelities and prudent Circumspections have assigned you and by virtue of these presents do Give unto you full power & Authority you the Said George Uty having first taken the usuall oath of Comissioner and Justice of the peace of our Said County upon the holy Evangelists w.^{ch} Oath we do hereby Empower and Authorize you the said Thomas Howell duly to Administer and you the S.^d George Uty having Received & taken the Said Oath We do hereby Authorize you to Administer the like oath of Commissioner and Justice of the peace of the S.^d County to him the Said Thomas Howell which being done and performed That then you call & Cause to Come before you the other persons in the Said Comission Nominated & appointed to be Commissioners and Justices of the peace of our Said County and duely & truly to Administer unto them and Every of them Joyntly or Severally the Said Oath of Commissioners and Justices of the peace of our S.^d County they also taking the Same upon the holy Evangelists And when ye have So done we Will and Command you that you do under your hands and Seals Certifie us of yo.^r whole proceedings herein without delay into our Court of Chan.^{ry} wheresoever it shall then be Together with this Writt Wittness our Self at our City of S.^t maries the 19.th day of may in the fortieth year of our Dominion over our Said province Annoq Domini 1672 Charles Calvert

(fol. 85) Cæcilius &c To our Trusty and Well beloved Daniell Clerke and William Stevens the Elder Gent in o.^r Co.^{ty} of Dorch.^r Greeting We Command you that by the Oaths of Twelve Good & Lawfull men of your Said County of Dorchester by whom the truth of the matter may be the better known and Inquired of That you diligently Inquire what Lands and Tenements Richard Miller held of us in his

demeasne as of free at the time of his Death within the Said County of Dorchester and of what manno.^r and by what Services and how much those Lands & Tenem.^{ts} are of value by y.^e year in all issues & at what time y.^r S^d Rich^d Miller dyed & who is his next heir & of what age the heir is and who those Lands & Tenem.^{ts} from y.^e time of y.^e Death of the s.^d Rich.^d Miller have or doth Occupy And the issues or profits hath or doth receive and by what Title & how & in what manner & the inquisition thereof distinctly and openly made to us in our Chancery und.^r yo^r hands & Seals & the hands & Seals of them by whom it shall be made without delay you send & this writt. Wittness our Self at o.^r City of s.^t ma : y.^e 17.th day of Nov.^r in the 40.th year of o^r Dom.ⁿ ov.^r our s.^d province Annoꝝ Dñi 1671

Liber CD

Cha : Calvert

JR John Gilbert ad Sheriff S.^t maries County ne Exeat provinciam versus Phillip Shapleigh Testis 19.th of June 1672

p. 67
(fol. 85)

I do hereby order and Impower you to Administer the Oath of a Sheriff to m.^r Thomas Jones & for your So doing this shall be your warrant from your friend

Charles Calvert

14.th June 1672

To m.^r Rob.^t Ridgely

The s.^d Jones Sworn accordingly

Robert Ridgely Cke

Cæcilius &^c To all persons to whom these presents shall Come Greeting Know ye that we have Comitted to our Trusty & Well beloved Thomas Jones Gent Sheriff of our County of Sumersett our Said County with the Appurtenances to be by him kept during our pleasure So as he Render unto us yearly our firme dues and Answer unto us our Just Rights and for all other things belonging to the office of high Sheriff of our Said County before our Chief Justice of our Said province, Given at our City of s.^t maries under the Great Seale of our Said province Wittness our Self at S.^t maries afores.^d the fourteenth day of June in the xxxxth year of our Dominion over our Said province Annoꝝ Dom 1672

Charles Calvert

Cæcilius &^c To all Gentlemen firemen & other psons of our County of Som'set Whereas we have Comitted to our Trusty & Well beloved Thomas Jones Gent sheriff of our S.^d County our S.^d Co^{ty} with the appurtenances to be by him kept during our pleasure We do therefore Command you & Every of you that you be aiding and assisting to the Said Thomas Jones as high Sheriff of our Said County in all things that to the office of high Sheriff of our Said County doth appertain, Given at o^r City of s.^t maries under the

(tol. 86)

Liber C D Great Seal of our Said province Wittness our Self at S.^t maries
af.^d the fourteenth day of June in the xxxx.th year of our Dominion
ov.^r o^r Said province Annoq̄ Domini 1672 Charles Calvert

Cæcilius &^c To Thomas Walker Gentl late high Sheriff of o.^r
County of Sommerset Greeting Whereas we have Comitted to our
beloved Thomas Jones Gentl our Said County of Som^rset with the
appurtenances to be by him kept during o^r pleasure We Command
you that by Indentures to be duely made and Executed between you
and the s.^d Thomas Jones you deliver unto him the Said Thomas
Jones the Said County wth all Rolls Writts Record & other matters
& things to the office of high Sheriff belonging & which are in your
Custody hereof you are not to fail at your perill. Wittness ourself
at our City of S.^t maries the fourteenth day of June in the xxxx.th
year of our Dom.ⁿ ov.^r our s.^d province Annoq̄ Dom 1672

Charles Calvert

Cæcilius &^c To Henry Smith, ffrancis Jenkins, Thomas Jones,
Jn^o Winder Thomas Walker Alexander Draper & Richard Whittey
Gent Know ye that for the Great Trust & Confidence that we have in
your fidelities, Circumspeçons Providences & Wisdoms have Con-
stituted Ordained & Appointed And by these p^rsents do Constitute
Ordain & appoint you the s.^d Henry Smith ffrancis Jenkins, Thomas
Jones John Winder Thomas Walker, Alexander Draper and Richard
Whittey Gent Commissioners Joyntly and Severally to keep the peace
in Worcester County in the Said province And to keep or Cause to
be kept all Laws and orders made for the Good & conservation of
the peace and for the quiett Rule and Governm.^t of the people in all
and Every the Articles of the Same, And to Chastise and punish all
persons offending agains the form of any the Laws and orders of this
our province or any of them in Worcester County af.^d according to
the form of the Said Laws and orders shall be fit to be done We
have also Constituted you and Every four or more of you of which
you the Said Henry Smith, Francis Jenkins Thomas Jones and
John Winder unless one of our Council be present are always to
be one to be Commissio^{rs} to Enquire by the Oaths of Good and
Lawfull men of your County aforesaid of all manner of ffelonies
Witchcrafts Enchantments Sorceries Magick Arts Trespasses, fore-
stalling Ingrossings Extortions whatsoever and of all & Singular
misdeeds and offences of which Justices of the peace in England
may or ought Lawfully to Enquire by whomsoever or whensoever
done or perpetrated or w.^{ch} hereafter Shall happen to be done or
perpetrated in the County aforesaid against the Laws and orders
of this our province Provided that you proceed not in any the Cases
af.^d to take Life or member, But that in Every Such Case you Send
the prisoners with their Indictments & the whole matter depend-

p. 68
(fol. 87)

ing before you to the next provinciall Court to be holden for this our province whensoever or whereSoever to be holden, there to be Tried And further we do hereby Authorize you to Issue writts process arrests and attachments, to hold place to hear and Determined according to the Laws orders and Reasonable Customs of this our province after Judgm.^t Execution to Award on all Cases Civill whether in actions Reall or personall where the thing in Action doth not Exceed the value of Three thousand pounds of Tobacco In which Cases Civill So to be tryed We do Constitute, Ordaine and appoint you the Said Henry Smith, ffrancis Jenkins, Thomas Jones and John Winder to be Judges as aforesaid unless Some one of our Councill be then in Court, And therefore We Comānd you that you diligently Intend the keeping of the peace Laws and orders and all & Singular other the premisses and at Certain days appointed according to the Act of Assembly in that Case provided And Such places as your or any four or more of you as afores^d Shall on that behalf appoint you make Inquiries upon the premisses & perform and fullfill the Same in form af.^d doing therein what to Justice appertaineth according to the Laws Orders and Reasonable Customs of this o^r province Saving to us the Amerciaments and other things thereof to us belonging, And therefore We Command you the Sheriff of the S.^d County by virtue of these presents that at the days and places aforesaid which you or any Such four or more of you as aforesaid, Shall make known to him to give his attendance on you and if need require to Cause to Come before you or any Such four or more of you as aforesaid, Such and So many Good and Lawfull men of your County by whom the Truth in the premisses may the better be known and Enquired of, Given at our City of S.^t maries this nineteenth day of June in the fortieth year of our Dominion over our Said province of Maryland Annoq̃ Domini one Thousand Six hundred Seventy two

Liber C D

(fol. 88)

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(fol. 88)

Cæcilius &c To our Trusty and Well beloved Francis Jenkins & Henry Smith Gent Greeting Whereas we have Lately by our Commission under our Great Seale of our s.^d province nominated Constituted and appointed you the Said ffrancis Jenkins and Henry Smith and the Severall other persons in the s.^d Comission named to be Commissioners & Justices for the keeping of our peace in and for our County of Worcester County with full power & Authority to keep our County Court there at Such days and times as by the Law in that Case made is provided Now know ye that we Reposeing Great Trust and Confidence in your ffidelities & prudent Circumspections have assigned you and by virtue of these presents do Give unto you full power & Authority you the Said Henry Smith having first taken the usuall oath of Commissioner and Justice of the peace of our Said County upon the holy Evangelists which

(fol. 89)

Liber C D Oath we doe hereby Empower and Authorize you the s.^d ffancis Jenkins duly to Administer & you the s.^d Henry Smith having Received & taken the s.^d oath We do hereby Authorize you to Administer the Like Oath of Commission.^r and Justice of the peace of our s.^d County to him the s.^d ffancis Jenkins w.^{ch} being done and pformed that then you Call & Cause to come before y^o the other persons in the s.^d Comiçon nominated & Appointed to be Commission.^{rs} & Justices of the peace of our Said County & duly & truly to administer unto them & Every of them Joynly or Severally the Said Oath of Commissioner and Justice of the peace of our Said County they also takenig y^e Same upon the holy Evangelists, And when you have So done we do will & Command you That you do und.^r yo.^r hands & Seals Certifie us of your whole proceedings herein without delay unto o^r Court of Chancery wheresoever it shall then be Together w.th this Writt Wittness our Self at our City of s.^t maries the nineteenth day of June in the fortieth year of our Dominion over o^r Said province Annoq̄ Domini one thousand Six hundred Seventy two

Sp^a John Blomfield to Answer ffancis Stockett Com. Test 10.th July ret 1st Oct p &

p. 70
(fol. 90) Cæcilius &^c To the Sheriff of Calvert County Greeting Whereas Henry Scarborough of London merch.^t hath this day Exhibited his Bill of Comp.^{lt} into o.^r Court of Chancery ag.^t Richard Perry of your said County Gent & others defend.^{ts} to be relieved for the matters therein Complained of And whereas the Said Richard Perry hath not yet answered the Said Bill but Intends to Depart this province without answering thereof whereby the Comp.^{lt} is in danger to be deprived of the fruit & benefit of his Suit to the Loss of Two thousand pounds Sterling & upwards as is alleadged These are therefore to will and Command you that you take the body of him the Said Richard Perry if he shall be found in your Bailiwick and him Safely keep till he Enter into a Recognizance in our Said Court of Chancery with Sufficient Sureties not to depart this province till he hath fully and perfectly answered the Said Bills and also to perform what our Said Court shall decree or Determine therein Wittness &c the 30.th of July in the 41.th year of our Dominion over o^r Said province Annoq̄ Domini 1672

Cæcilius &^c To Richard Perry Gent. Thomas Trueman Esq.^r & Mary his wife & John Gittings & Every & either of you Greeting We Command you that all Excuses Set a part you & Either & Every of you be & psonall appear before us in our high Court of Chan^{ry} the first day of Octob.^r now next comeing wheresoever it shall then be to Answer unto Such things as shall be objected ag.st you by

Henry Scarborough of London in the Kingdom of England merchant Comp.^{1t} in a case of Equity depending before the Justices of our Said Court ag.^t you defend.^{1s} That our Justices hearing the Cause may do therein as according to Justice & the Laws of this province ought to be done and this you may in no wise Omitt under the pain of one hundred pounds Sterling a piece Wittness &c.^a the 30.th of July in the 41.th year of our Dominion ov.^r our Said province Annoq Domini 1672 Liber CD

Cæcilius &c To the Sher of Charles Co.^{ty} Greeting We Comānd thee that thou attach Henry Bonner & Elizabeth his wife Administ.^{7s} of the Goods and Chattells of Walter Story deēd, So that thou have them before us in our Court of Chancery upon the first day of our next provinciall Court To be holden at our City of S.^t maries the first day of October next to Answer unto us for a Certain Contempt by the Said Henry and Elizabeth done as it is Said, as also of all other things that shall be then and there objected ag.^t them And further to do & Receive what our Court shall Consider of in that behalf and of this thou shalt no ways omitt, and have thou there this Writt Wittness &c.^a the 31.st day of July in the 41 year of our Dominion ov.^r Said province Annoq Domini 1672

On the Backside of the writt was thus written

By the Court at the Suit of John Long, because they have not pformed a Decree and paid Costs.

Cæcilius &c. To the Sher of Cha. Co.^{ty} Greeting Whereas Verlinda Stone widd.^w hath come before us in o.^r Co.^{rt} of Chan.^{ty} and hath found Sufficent Security as well her Clamour to psecute as for her Servant to witt Henry Dorman w.^{ch} Edmund Lindsey took & unjustly detains (as it is Said) to be returned if the return of him be adjudged Therefore We Charge & Com.^d you that y.^e Serv.^t af.^d to the s.^d Velinda Stone Replevied to be & delivered you Cause & put by Surety & Safe pledge the af.^d Edm.^d Lindsey that he be before our Justices of our provinciall Court on the first day of the s.^d Court to be held at o.^r City of S.^t maries on y.^e first day of Oct.^r next to answ.^r the af.^d Velinda Stone of a plea of taking & unjustly detaining of her Serv.^t af.^d & how this our writt shall be Executed to o.^r Justices at y.^e s.^d next Co.^{rt} at y.^e s.^d City of s.^t maries to be held you make known und.^r y.^e pain Incumb.^t & also then & there make return of y.^e writt Wittness &c.^a the thirteenth of June 1672

Cæcilius &c. To Henry Adams, Thomas Mathews, John Stone Zachary Wade, John Bould, Ignatious Courseene Robert Henly, John Douglass William Barton Jun.^r Thomas Hussey & Stephen Mountague Gent^l Know ye that we for the Great Trust and Confidence that we have in your ffidelities, Circumspections providence and Wisdoms have Constituted Ordained and appointed and by these

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(fol. 91)

Liber C D presents do Constitute Ordain and appoint you the Said Henry Adams Thomas Mathews John Stone Zachary Wade, John Bould, Ignatius Courseene, Robert Henly, John Douglass, William Barton Jun.^r Thomas Hussey & Stephen Mountegue Gentl Commission.^{rs} Joyntly & Severally to keep the peace in Charles County in the Said province And to keep and Cause to be kept all Laws & orders made for the Good and Conservation of the peace, And for the Quiet Rule and Governm.^t of the people and all & Every the Articles of the Same, And to Chastise and punish all persons offending against the form of any the Laws and orders of this our province or any of them in Charles Co.^{ty} afores.^d according to the form of y.^e Said Laws & Orders as Shall be fitt to be done, We have also Constituted and ordained you & Every four or more of you of which you the Said Henry Adams Thomas Mathews, John Stone Zachary Wade & John Bould unless one of our Council be present are always to be one, To be Commiss.^{rs} to Enquire by the Oaths of Good and Lawfull men of your County aforesaid of all manner of ffelonies Witchchafts & Enchantm.^{ts} Sorceries majick Arts, Trespasses, forestallings Ingrossings, Extortions whatsoever & of all & Singular misdeeds & offences of which Justices of the peace in England may or ought Lawfully to Enquire by whomsoev.^r & whensoev.^r done or perpetrated or which hereafter Shall happen to be done or ppetrated in the Co.^{ty} af.^d against the Laws & Orders of this o.^r province Provided you proceed not in any the Cases af.^d to take Life or member But that in Every Such Case you Send the prison.^{rs} with their Indictm.^{ts} & the whole matter depending before you to the next provincially Court to be holden for this our province whensoever or wheresoever to be holden there to be tryed And further We do hereby Authorize you to issue Writts process Arrests & Attachm.^{ts} to hold plea of hear & Determine and according to y.^e Laws Orders and Reasonable Customs w.thin this our province after Judgm.^t Execution to award in all Cases Civill whether in Actions Reall or psonall where y.^e thing in acon doth not Exceed the value of three thousand pounds of Tob.^o In w.^{ch} Cases Civill So to be tryed We do Constitute Ordain & c appoint you the s.^d Hen. Adams Thomas Mathews John Stone Zachary Wade & John Bould to be Judges as af.^d unless Some one of o.^r Council be there in Court, And therefore we Command you that you diligently intend the keeping of the peace Laws and orders and all & Singular other the premisses, And at Certain days and times appointed according to Act of Assembly in that Case Provided and at Such places w.^{ch} you or any four or more of you as af.^d Shall in that behalf appoint you make Enquiries upon the premisses & perform & fullfill the Same in form afores.^d Doing therein what to Justice appertaineth, according to the Laws orders and Reasonable Customs of this our province Saving to us the Amerciam.^{ts} & other things thereof to us belonging, And therefore We Command the Sheriff of the s.^d County by virtue of these

p^rsents that at the days & places af.^d w.^{ch} you or any Such four or more of you as af.^d Shall make known to him to Give his attendance on you, And if need require to Cause to come before you or any Such four or more of you as aforesaid Such & So many Good & Lawfull men of your County by whom the truth in the premisses may the better be known & Enquired of, And Lastly we have Appointed Phillip Gibbon Clerke and keeper of the Records and proceedings in this your County Court, And therefore you Shall Cause to be brought before you at the s.^d days and place the writts precepts processe & Indictm.^{ts} to yo^r Court & Jurisdiction belonging that the Same may be Inspected and by a due Course determined, Given at our City of S.^t maries under our Great Seale the first day of August in the xxxx.th year of our Dominion over our Said province of Maryland Annoq̄ Domini 1672 Wittness our Dear Son Charles Calvert our Cap.^t Generall & Chief Governour of o.^r Said province of Maryland

Liber C D
Charles Calvert

Cæcilius &c To our Trusty & Well beloved Henry Adams and Thomas Mathews Gentl Greeting Whereas we have lately by our Commission under our Great Seale of our s.^d province Nominated & appointed you the Said Henry Adams & Thomas Mathews and the Sev.ⁿ other psons in the s.^d Commission named to be Com.^{rs} & Justices for the keeping our peace in & for our Co.^{ty} of Charles County with full power & Authority to keep o^r County Court there at Such days & times as by the Law in that Case as made & Provided, Now know ye that we Reposeing Great Trust & Confidence in yo.^r fidelitys and provident Circumspections Have assigned you and by virtue of these presents Do Give unto you full power & Authority you the said Thomas Mathews having first taken the usuall Oath of Com.^r and Justice of the peace of o.^r Co.^{ty} upon the holy Evangelists w.^{ch} Oath We do hereby Empower and Authorize you the Said Henry Adams duely to Administer And you the S.^d Thomas Mathews having Received taken the s.^d Oath, We do hereby Authorize you to administ.^r the like Oath & Commission.^r & Justice of the peace unto the s.^d Henry Adams w.^{ch} being done & performed that then you Call & Cause to Come before you the other persons in the s.^d Com.ⁿ Nomited & appointed to be Commission.^{rs} & Justices of the peace of o^r said Co.^{ty} And duely and truly to administer unto them & Every of them Jointly or Severally the Said oath of Comission.^r & Justice of y^e peace of our Said County, they also taking the Same upon the holy Evangelists, And when ye have So done we do will & Command you that you do under your hands & Seales Certifie us of your whole proceedings herein without delay into our Court of Chan.^{ry} where Soever it shall then be, Together w.th this writt Wittness our Self at our City of S.^t maries the first day of August in the xxxx.th year of our Dominion over o.^r Said province Annoq̄ Dom 1672

(fol. 93)
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(fol. 93)

Liber CD m.^r Ro: Carvile

I desire you to appear for me as my attorney in Chancery in a Suit depending there between me & others at the Suit of Henry Scarborough and this shall be yo.^r warrant

Aug.st the 25.th 1672

yo.^r John Gittings

Cæcilius &^c To James Macky of Charles County of our s.^d province of Maryland Greeting. We Command you that all Excuses Set apart & all busieness Ceasing you be & psonally appear before us in our high Court of Chancery the first day of October now next Coming wherever it shall then be to answer unto Such things as Shall Objected against you by Daniell Johnson Infant by ffrancis Kilbourne & Elizabeth his wife his Guard Comp.^{lt} in a Case of Equity depending before the Justices of our Said Court ag.^t you defend.^t that our Justices hearing the Cause may do therein as according to Justice & the Laws of this province ought to be done & this you may in no wise Omitt under the pain of an hundred pounds Sterling Wittness p the 16.th of September in the 44.th year of our Dominion over our Said province Annoq̄ Domini 1672

Cæcilius absolute Lord & prop.^{ty} of the provinces of Maryland & Avalon Lord Baron of Baltemore &^c To all the Inhabitants within our province of Maryland Greeting, Whereas for Severall Weighty & Urgent Occasions & affairs Relating to our Self & to the State and defence of our Said province of Maryland We did hold a Generall Assembly at our City of S.^t maries the Seven & Twentieth day of march one Thousand Six hundred Seventy one w.^{ch} upon the nineteenth day of Aprill then next following for divers Considerations us thereunto moveing We did prorogue untill the tenth day of Octob.^r then next following and on the nineteenth day of the Same Octob.^r We did for Severall reasons prorogue the Same Assembly untill the third tuesday in Octob.^r then next following being the fifteenth day of the month of Octob.^r in the xxxxi.th year of our Dominion over our s.^d Province Annoq̄ Domini 1672 And for that the s.^d fifteenth day of Oct.^r when our s.^d Generall Assembly Should Sitt is now near at hand, We for divers Reasons us hereunto moving do hereby publish & declare that the Same Generall Assembly Shall be & is hereby prorogued from the S.^d fifteenth day of Octob.^r untill the first Tuesday in may being the Sixth day of may w.^{ch} shall be in the year of our Lord God 1673. Whereof as well our Cap.^t Gen.^{ll} of our Said province of Maryland and our memb^{rs} of our upper house of Assembly as also all the Deputys & Delegates of our Lower house of Assembly and all other the Inhabitants of our s.^d province of Maryland whom it may Concern are to take notice and to Order their affairs accordingly, And we Do hereby

p. 74
(fol. 94) Order and Command our Respective Sheriffs of o^r Severall Countys

within our Said province that they upon Sight of this our proclamation do Immediately publish and proclaim the Same And Give the Respective Deputys & Delegates of their County particular notice of our will & pleasure herein Given at our City of S.^t maries under our Great Seale of our Said province of Maryland the Sixteenth day of September in the 41.th year of our Dominion over our S.^d province Annoq Domini 1672. Wittness our Dear Son Charles Calvert Esq.^r our Cap^t Generall & Cheif Governour of our Said province of maryland

Liber C D

Nine of these writts or proclamacōns were Sent into the nine Severall Countys

Henry Beedle & Sophia his wife Sp.^a ag.^t George Wells Gent Chan.^{ry} ret the 1.st of Oct.^r 7 & Dated the 25.th September 1672

Cæcilius &c To our Sher of the County of Kent, Greeting because (fol. 95) in the Record and process as also in the Rendering of Judgm.^t & Granting Execution against Christopher Andrews and mary his now wife the late wife of William Standley deced at the Suit of Robert Chapman in a plea of Slander and defamation manifest Error hath happened to the Grievous damage of them the Said Christopher Andrews & mary his wife as out of their Complaint we have accepted as by the Record & processe thereupon Between the parties aforesaid by virtue of our writt of Correcting the Error to our Commission.^{ts} of Kent County Directed by them before our Justices of our provinciall Court To be holden at our City of S.^t maries the tenth day of December next under their hands and Seals to be Sent, And because upon the Said writt of Correcting of Errors the Said Christopher Andrews & mary his wife have put in Sufficient Manucript.^{ts} for their appearance in our Said Provinciall Court on the s^d tenth day of December and So from day to day or at any day to them in our Said Court in the premisses pfixed or to be pfixed untill the Said writt of Correcting Errors Shall be determined and to Satisfie the Said Robert Chapman his Damages of it shall happen the Said Christopher & mary the S.^d tenth day of December or at any other day by our Said Court perfixed or to be perfixed Shall not appear or not prosecute with Effect or that it Shall happen the Said Judgem.^t Shall be affirmed Therefore We Command you that from further taking arresting Imprisoning or them by that Occasion any ways molesting you altogether Supersede & if them the Said Christopher & mary for that Occasion and no other you have taken them from the prison in which they are Detained, if upon that Occasion & no other they are detayned without delay you Cause to be delivered upon perill thereon following. Wittness our Self at our City of s.^t maries the Seventh day of October in the xxxxi.th year of our Dominion over o.^r Said province of Maryland Annoq Domini 1672

George Parker

Being Good Sufficient men of my Bayliwick who upon their oaths have Viewed the Said ten acres of Land Do find that to Grant unto Jacob Young Ten acres of Land as aforesaid for the Erecting of a Water Mill within a Creek Called perry Creek near to Susquehannah River lately the Land of m.^r John Bateman But now is Supposed by us to be the possession of Cap.^t Richard Perry of Calvert County will be in no way any damage to his Lordship nor to the owner of the Said Land in falling of Timber or otherwise more then will be made Good to the Tennant in possession by the payment of the yearly rent of four pence for and during the Tennor of Eighty year according to the Act of Assembly in that Case Provided and that the s.^d Land is holden the manno.^r of within the Co.^{ty} of and now to the best of our knowledge in the possession of Cap.^t Richard Perry as aforesaid, And that we find that there is within the aforesaid Tract of Land Eight hundred acres none of which we find disposed of Given under our hands the nine and Twentieth day of June in the 40.th year of the Dominion of Cæcilius and in the year of our Lord God 1672

Liber C D

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(fol. 97)

John Hodsonsealed,	Robert Jonessealed,
Henry Hazlewoodsealed,	Edward Beedleseale
Samuell Bostonsealed,	Richard Collinsseale
John Collettsealed,	the mark of
John Mascardsealed,	Rutton Garrettseale
Matt Knivetonsealed,	Peter Ellisseale
John Tarkintonsealed,	
his mark II	

Taken the day & year above written p me Tho. Carleton seale
Sheriff

Cæcilius &c To Thomas Carleton and Mathew Ward Gent Greeting Whereas Margaret Perry hath Lately Exhibited her Bill of Complt before us in our Court of Chancery against George Wells and Johanna Goldsmith widd.^o and others defendants and Whereas we have Commanded the Said defendants to be before us in our Court of Chancery at a day now past Know ye therefore that we Trusting to your fidelities and provident Circumspections have Ordained you and do hereby Empower & Authorize you diligently to Examine the Said defendants upon the Tenno.^r of the Said Bill A Copy whereof Shall be herewith Sent you, And therefore We Command you that at Such Certain days & times as you at your discretion Shall think Convenient you go to the Said def.^{ts} if they cannott Conveniently come unto you, And that you take the Said defend.^{ts} Answers and Reduce the Same into writing they having first taken their Severall Corporall oaths to the Same upon the Holy Evangelists of God and when you have So done that you Send

(fol. 98)

Liber C D the Same Closed up under your hands and Seals to us in our Said Court of Chancery by the first day of October next Together with this writt Wittness our Self at our City of S.^t maries the Seventeenth day of June in the xxxx.th year of our Dominion over our Said province Annoq Dom 1672 Rob.^t Ridgely Reg.^r

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(fol. 98) Cæcilius &c To the Sher of Dorchester County Greeting We command then that thou attach Joseph Sones that thou have him before us in our Court of Chancery upon the first day of our next provinciall Court to be held at our City of S.^t maries the 10.th day of December next to answer unto us as well for a Certain Contempt by the Said Josep Sones done as it is Said as also of all other things that Shall then and there be objected against and further to do and receive what our Court Shall Consider of in that behalf and of this thou Shalt no ways Omitt and have thou there thy writt Wittness &c.^a the thirteenth day of Oct.^r Annoq Dm 1672

(fol. 99) Cæcilius &c To William Hemsley & William Coursey Gent Greeting We Command you and Every of you that all Excuses Set apart & all busieness Ceasing you be & personally appear before us in our Court of Chancery the first day of our next provinciall Court to be held at our City of S.^t maries the 10.th of December next to Testifie the truth of your knowledge in a Certain matter of Controversie in our Said Court depending between Jonathan Hopkinson p.^l and Jn.^o Wright defendant on the behalf of the plaintiff hereof you are not to faile under pain of ten pounds Sterling a piece Wittness &c.^a the thirteenth day of October in the 41.th year of our Dominion Annoq Dm 1672

Cæcilius &c To John Wright Greeting We Command you that Immediately after the Sight hereof you pay unto Tobias Wells or the bearer of this Writt the Summe of 3^l: 6^s: 8^d or 800.th Tob.^o Costs adjudged him the s^d Tobias by our Court of Chancery in a Cause there depending between him the Said Tobias p.^l and you defend.^t for the overruling of yo^r Demurr.^r and hereof you are not to faile under the pain Ensuing Wittness &c.^a the 30th day of October in the 41.th year of our Dominion Annoq Dm 1672

Cæcilius &c To John Wright Greeting We Command you that all Excuses Set apart & all busieness Ceasing you be and personally appear before us in our Court of Chancery the tenth day of Decemb.^r next Comeing wheresoever it shall then be to make a better Answer to the Bill of Complt there Exhibited against you by Tobias Wells that our Said Court hearing the Cause may do therein as according to Justice and the Laws of this province ought to be done And of

this you may in no wise Omitt under the pain of 100.^{li} sterl Wittness &c the 30.th day of Octob.^r in the 41.th year of our Dominion Annoq Domini 1672

Liber C D

Cæcilius &c.^a Whereas by our L^{res} patents under our broad Seale bearing date the first day of October in the one & fortieth year of our Dominion Reciteing that Whereas George Naseworthy of Nanseum in James River in the Collony of Virginia pnt patent Lib.^r M: M: fo: 71 the Said Alienation Shall be void and of none Effect Now the Said Thomas hath Supplicated us that Whereas We did by our L^{res} patents bearing date the first day of October in the 40.th year of our Dominion Grant to William Thompson of Som^rsett County Gent by the name of Wiflm Thompson Gent without any Recitall or mentioning of the Said Condiçonall Warr.^t of the Said George Nasworthy which Said Land Granted to the s.^d William Thompson is and are parcell of the Lands that were and are mençoned in the Condiçonall warrant of the said George Nasworthy and to him the Said Thomas Jones by the s.^d above mençoned patent Granted as the Said Thomas by ways & means Convenient is Ready to Shew, That we would the Said L^{rs} patents of the Said Lands So to the Said Wiflm Thompson Granted as aforesaid, Revoke and Annull and the s.^d Lands into our hands Seize, and the Said William and all other Tennants & Occupiers thereof from the possession thereof remove, And them to the Said Thomas deliver to hold and Enjoy according to the Tenno.^r & purport of our Said L^{rs} Patents above s.^d to him thereof made, We willing to do what in this behalf is Just, Command you that by Good and Lawfull men of your Bailiwick you make known and Give Warning to the Said William Thompson that he and they be before us in our Court of Chancery the tenth day of December next being the first day of our next provinciall Court to Shew what for us or themselves they have or Can Say wherefore the Said L^{rs} patents of the afores.^d Lands as afores.^d made ought not to be Revoaked & Annulled and the Same into our hands be Seized as before is Said, And to the said Thomas according to the Effect of the Said L^{res} patents be delivered and to do and Receive what our Said Court Shall further do or Grant to be done in this behalf, Wittness &c the day of October in the 41.th year of our Dominion Annoq Dom 1672

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(fol. 100)

Cæcilius &c.^a To Daniell Jenifer Greeting Spa to Test in a matter of Controversie in our Court of Chancery depending between Jonathan Hopkinson p.^{li} and John Wright & Richard Snowden defend.^{ts} on the behalf of the defend.^{ts} Wittness &c the 26th October 1672 . . .

Cæcilius &c.^a To John Quigley of S.^t maries County Greeting we Command you that all Excuses Set apart and all busieness Ceas-

Liber C D ing you be and personally appear before us in our Court of Chancery on the first day of our next provinciall Court to be held at our City of S.^t maries the tenth day of December next to answer unto James Nuthall Complainant & further to do & receive what o.^r Justices of our S.^d Co.^{ty} Shall Consider of in that behalf according to the Laws & Constitutions of this province hereof not to fail under the penalty of one hundred pounds Sterling Wittness &c the 12.th day of Nov.^r in y.^e 41.th year of the Dominion of Cæcilius &c Annoq Dom 1672

(fol. 101) Upon the Return of a writt quem diem Clausit Extr upon the Estate of Richard Miller deēd was this following Inquisition returned also

Dorchester ss :

An Inquisition Indented taken at Masons Wineyard in the County aforesaid the first day of July Annoq Dom 1672 before me Daniell Clerke Gent by virtue of a writt out of the high Court of Chancery of this province to me directed bearing date the Seventh day of November last past by the Oaths of Arthur Wright foreman John Avery William Robson Phineas Blackwood, Henry Turner William Jones, Samuell Millington, James Moadsley Richard Kendall Stephen Sealous, Rich.^d Butwell, & Timothy Macknemara being Twelve Good & Lawfull men of y.^e Co.^{ty} af.^d who upon their s.^d Corpor.^{ts} oaths Say as followeth

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(fol. 101) Imprimis. They Say that Richard Miller in the writt named did at the time of his death hold of the Right Hon.^{ble} the Lord Proprietary one Tract or parcell of Land Lying in Dorchester afores.^d Called Mason's Vinyard, Containing by Estimation one hundred acres holding of the manno.^r of Baltemore in free and Common Soccage under the yearly Rent of two Shillings Sterling for all Services to be paid at the most usuall feasts in the year viz.^t at the feast of the Annunciation of the Blessed virgin mary and at the feast of S.^t Michael the Arch Angell by Even and Equall portions.

Item They Say that the Said tract of Land is of the yearly value in all issues of Twenty Shillings Sterling Item they Say that the Said Richard Miller in the Said Writt named dyed in or about the month of July 1669, And that no heirs hath appeared Since, for defect whereof the Said Tract of Land Called mason's Vinyard did Escheat unto his Honour the Lord Proprietary and his heirs who hath full & Just Right to the Same

Item They Say that from the time of the Decease of the Said miller till the fifteenth day of march in the year 1670 no one did Occupy or possess the Said Land but at the aforesaid fifteenth day of march Richard Meakins was possess of the Said parcell of Land in the Right of the R.^t Hon.^{ble} the Lord prop.^{ty} who is now the

present Occupier of the Said Land In Wittness whereof as well the Said Jurors as I the Said Daniell Clerke have hereunto Set our hands and Seales the day and year first above written

Dan^t Clerk seale

Arthur Wright foreman . . . seale,	Samuell millington m ^k e. . . seale,
John Avery mark. seale,	James Moadsley m ^k e. seale,
William Robson seale,	Richard Kendall m ^k e. seale,
Phine Blackwood seale,	Stephen Sealous m ^k e. seale,
Henry Turner seale,	Richard Butwell m ^k e. seale,
William Jones seale,	Timoth Macknemara seale,

Cæcilius &c Whereas by an Act of Generall Assembly made at our Generall Assembly of our Said province of Maryland begun & held at our City of S.^t maries the thirteenth day of Aprill in the 37.th year of our Dominion over our Said province Anno^q Dom one thousand Six hundred Sixty nine Entituled an Act for Encouragm.^t of Such prsons as will undertake to build Watermills It is Amongst other things Enacted That if any person or persons from and after the last day of June then next Should desire to Set up a Water mill upon any Land next adjoining to any Runn of water within this province not being the proper possession or freehold of the Said person or persons nor leased to them by us or other persons to the Intent thereon to Set a water mill, They Should purchase our Writt out of our Court of Chancery Directed to the Sheriff of the County where Such Land Lyeth requiring him by the Oath of twelve men of his County to Enquire what damage it would be to us or others to have a mill Sett up in Such a place as aforesaid upon the return of which writt in Case the person or persons who by the Said Inquest Should be found to be the true owners and possessors of the Land fit to build a water mill upon Should refuse to build a mill thereupon & to give Security to us by Bond of fifty thousand pounds of Tobacco with Condition to begin to build a mill thereon within twelve months from that day to be Compleated and Reckoned, and the Same building to prosecute & finish within twelve months after Such the Said Beginning or laying the foundation aforesaid for the publick Good of our province, It should be Lawfull to and for us our heirs and Successors, or in our or their absence for our & their Lieuten.^t & Chief Governour here for the time being to Grant ten acres of Land fit to build a water mill upon as afores.^d Together with free Egress and Regress to the s.^d water mill Either by Land through any mans Land next adjacent or by water Together with Liberty to fell any Timber for building the Said water mill other than board timber, fit to Split or Cleave into Clapboard for any time or Terme not Exceeding Eighty years then next to Come under the yearly

(fol. 102)

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(fol. 102)

Liber C D Rent of the Land, then by the Oaths of Twelve men by virtue of the writt afores.^d Returned to be paid to the Owner of the Land So
 (fol. 103) found and returned as afores.^d w.^{ch} Said Grant from us our heirs & Successors, or from our Lieuten.^t & Chief Governo.^r here as afores.^d Should be Good and valuable in Law to the Grantee af.^d for any Terme of years not Exceeding Eighty years as aforesaid against all psons whatsoever any Law Custom or usage theretofore had made or used in our Said province to the contrary thereof in any wise notwithstanding as by the S.^d Act of Generall Assembly Assembly Remaining upon Record in our Secretaries office of our Said province of maryland relation being thereunto had more fully and more at Large the Same doth and may appear, In pursuance of w.^{ch} act Jacob Young in our County of Baltemore in our s.^d province of Maryland Gent did purchase out of our Said Court of Can.^{ty} our Said writt according to the form in the Said Act Set down bearing date the fourteenth day of may in the 40.th year of our Dominion over our Said province directed to our Sheriff of our S.^d County of Baltemore Commanding him by the Oaths of Twelve honest & Lawfull men of his Bailywick diligently to Enquire if it were to the damage of us or others if we Should Grant to Jacob Young of Baltemore County Gent Ten acres of Land in Susquehanna River at the Land Called perry point in the Said County with Liberty and Licence thereon to Set a water mill, as also Liberty to take fell cut down & Carry away either by Land or water any wood or Timber fit for building of a mill other than Board timber fitt to Splitt into Clapboard upon upon any of the Land next adjoining to the Said ten acres of Land Lying in Susquehannah River at perry point aforesaid, of whom the Said Land was holden, and of what value they were by the year according to the true value of them, without any further Improvem^t thereof made and the Inquisition thereon taken to return to us into our Said Court of Chancery without delay under his Seales & the Seales of them by whom it was made, By virtue of w.^{ch} writt our Said Sherifff did return his Inquisition Indented into our Said Court of Chancery being duly taken the nine & Twentieth day of June Last past whereby the Said Jurors upon their Oaths found that to Grant unto Jacob Young ten acres of Land as aforesaid for the Erecting of a water mill within a Creek called Perry Creek near to Susquehannah River lately the land of m^r John Bateman but now as Supposed by the Said Jurors to be in y.^e possession of Cap.^t Richard Perry of Calvert County will be in no way any damage to us or to the owner of the Said Land in falling of Timber or otherwise more than will be made Good to the Tennant in possession by the payment of the yearly Rent of four pence for and during the Term of Eighty years according to the Act of Assembly in that Case provided and that the Said Land is holden of our manno.^r of

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 (fol. 103)

Balt.^e within our Said County of Baltemore, And now to the best of their knowledge in the possession of Cap.^t Richard perry as afs.^d And by the Said Inquisition It is further found that there is within the Said tract of Land Eight hundred acres none of w.^{ch} the s^d Jurors find disposed of as by the Said Inquisition and writt also Remaining upon Record in our Said Court of Chancery more at Large may appear, And Whereas Mary Bateman heir of the Said John Bateman who is owner of the Said Land as also Richard Perry who is the possessor of the Said Land for the use of the Said Mary Bateman Orphant & heir of the Said John Bateman deēd have denyed and refused to Build a mill upon the premises or to Give Security as aforesaid, And the Said Jacob Young having Given us Sufficient Caution to build a water mill upon the Run of water afores.^d and the Same to Compleat and finish by the time Limited in & by the Said Act of Generall Assembly according to the true Intent and meaning thereof. Now Know ye that we by the Considerations aforesaid and for and in Consideration of the rents and Services hereafter in this our Grant Reserved have demised Granted and to farm let and by these presents do demise Grant & to farm let unto the Said Jacob Young his Executors Administ.^{rs} & Assigns the Said ten acres of Land within a Creek Called perry Creek near to Susquehannah River lately the land of m.^r Jn^o Bateman deceased but now in the possession of Cap.^t Richard perry for the use of the s.^d Mary Bateman Orphan of the s.^d Jn^o Bateman deced that is to Say five acres of Land on Each Side of the Run of water afores.^d with Liberty and Licence on Either of the Said parcells of five acres of Land as aforesaid on Each Side of the Run aforesaid to Set a water mill with free Egresse and Regresse to the said Water Mill either by Land through any man's Land next adjacent or else by water Together with Liberty to fell Cut down and Carry away by Land or water any wood or Timber fit for building of a mill other than Timber fit to Splitt into Clapboard upon any Land next adjoyning to the Said ten acres of Land Lying on Each Side of the Run afores.^d according to the true intent and meaning of the Said Act, To have and to hold the Said ten acres of Land unto him the Said Jacob Young his Executors Administrators & Assigns from the day of this date of these presents unto the full end and terme of fourscore years from thence next Ensuing fully to be Compleate & Ended yeilding and paying therefore yearly and every year dureing the Said terme at the feast of s^t michael the Arch Angell to the S.^d Mary Bateman her heirs Executo.^{rs} Admin.^{rs} or Assigns the Sume of four pence Sterling Lawfull money of England which Said Grant of the Said premisses We do for us and our heirs & Successors Will and Grant shall Remain and be Good and Available in Law to the Said Jacob Young his Executors Administrators and assigns for

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(fol. 104)

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(fol. 104)

Liber C D and during the Terme aforesaid against the Said Mary Bateman and
 (fol. 105) her heirs and against all and every other pson and persons whatsoever any Law or Custom had or used in the province to the Contrary notwithstanding Given under the Great Seale of our Said province of maryland Wittness o.^r Self at our City of S.^t maries this five and Twentieth day of October in the one and fortieth year of our Dominion over our Said province of maryland Annoq̃ Dom̃ one thousand Six hund.^d Seventy and two

Cæcilius absolute Lord and proprietary of the Provinces of maryland and Avalon Lord Baron of Baltemore &c To the Sheriff of Baltemore County Greeting We Command you that you attach George Wells if he can be found within your Bailiwick and him Safely keep So as you have his Body before us in our Court of Chancery holden at our City of S.^t maries the Eleventh day of february next to answer unto us as well touching a Certain Contempt by him against us Comitted as is alledged as to Such other things as Shall be then and there objected against you and this you may in no wise Omitt and have you there this writt Wittness our Self at our City of S.^t maries the Sixteenth day of Decemb^r the 41.th of our Dominion &c Annoq̃ Domini 1672

On the back side of the foregoing writt was thus written

By the Court at the Suit of Henry Beedle & Sophia his wife
 for want of an Answer Robert Ridgely Reg^r

Cæcilius &c.^a To the Sheriff of Calvert County Greeting, Whereas you were lately Commanded by writt of Execution issuing at our Court of Calvert County bearing date the 21.th day of Novemb.^r 1672 to take Richard Smith Adm.^r of Thomas Manning in Execution untill he hath made Satisfaction unto Benjamin Cloyster as well the Sume of Two thousand five hundred forty and five pounds of Tobacco w.^{ch} was adjudged to him for his Damages in a Certain Suit Commenced by the Said Benjamin Cloyster ag.st the s^d Rich.^d Smith Adm.^r of the Said Thomas Manning as also the Sume of 467.¹ of Tob.^o for his Costs and Charges Expended in the s.^d Suit yet because it Sufficiently appears to us that our af.^d writt of Execution from our Court aforesaid most unduly & Erroneously Issued therefore We Command you that you altogether forbear from takeing of the Said Richard or in any thing to mollest him by occasion of the premisses & if him the S.^d Richard Smith upon that occasion & not otherwise you have taken then him you permitt to go at Large Wittness our Self at our City of s.^t maries the one & Twentieth day of December in the 41.th year of our Dominion over our Said province Annoq̃ Domini 1672 Robert Ridgely Reg.^r

Cæcilius &c To the Sheriff of Calvert County Greeting, Whereas you were lately Commanded by Writt of Execution Issuing out of our Court of Calvert County bearing date the 21.th day of November 1672 to take Richard Smith Administrator of Thomas Manning in Execution untill he hath made Satisfaction unto Benjamin Cloyster as well the Summe of one thousand five hundred fifty and Seven pounds of Tobacco which was adjudged to him for his Damages in a Certain Suit Commenced by the Said Benjamin Cloyster against the s^d Richard Smith Admin.^r of the Said Thomas Manning as also the Summe of 485.¹ of Tobacco for his Costs and Charges Expended in the Said Suit yet because it Sufficiently appears to us that our afores.^d Writt of Execution from our Court aforesaid most unjustly & Erroneously Issued Therefore we Command you that you altogether forbear from takeing of the Said Richard Smith or in any thing of to mollest him by Occasion of the premisses and if him the Said Richard Smith upon that occasion and not otherwise you have taken then him your permitt to go at Large Wittness our Self at our City at S.^t marys the 21.th day of December in the 41.th year of our Dominion over our Said province Anno Domini 1672

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(fol. 105)

Rob.^t Ridgely Reg.^r

Sp.^a versus Henry Beedle & Sophia his wife to answer George Wells Chancery ret 12.th Decemb. (fol. 106)

Cæcilius &^a To the Sheriff of S.^t maries County Greeting Whereas Marmaduke Syms hath Come before us in our Court of Chancery and hath found Sufficient Surety as well his Clamour to prosecute as for his two Barrows which John Richardson took & unjustly detayns (as it is Said) to be returned if the return of them be adjudged Therefore We Comand and Charge you that the two Barrows afores.^d to the Said Marmaduke Symms Replevied to be and delivered you Cause and put by Surety and Safe pledge the aforesaid John Richardson that he be before our Justices of our provinciall Court on the first day of the Said Court to be held at the City of S.^t maries on the Eleventh day of ffebruary next to answer the aforesaid Marmaduke Symms of a plea of takeing and unjustly detaining of his two Barrows afores.^d & how this our writt Shall be Executed to our Justices at the next Court at the s.^d City of S.^t maries to be held you make known under the pain Incumbent and also then and there make return of this Writt Wittness &c at s.^t marys the 27.th in the 41.th year of our Dominion Annoq Dom 1672

Cæcilius &c To Robert Donne, Joseph meekes and William Ikad or any two of them Gent Greeting Whereas Tobias Wells hath Exhibited his Bill of Comp.^{tt} before us in our Court of Chan^y ag.^t John Wright & Mary his wife def.^{ts} and Whereas we have Comanded them them the S.^d defend.^{ts} to be before us in our Court at

Liber C D a day now past Know ye therefore that we trusting to your fidelitys & provident Circumspecons have Ordained you are any two of you And do hereby Empower and Authorize you diligently to Examine the s.^d defend.^{ts} upon the Ten.^r of the s.^d Bill, a Copy whereof Shall be herewith Sent you And therefore we Command you that at Such a Certain day & time as you in your discretions Shall think fitt & Convenient you Go to the house of the S.^d defend.^{ts} if they Cannot Conveniently Come unto you And that you take y^e S.^d defend.^{ts} answ.^r & reduce y.^e Same into writing they having first taken their Sev.ⁿ Corporall oaths upon the holy Evangelists of God and when you have So done that you Send y^e Same Closed up und.^r yo.^r hands & Seals to us in o.^r S.^d Co.^{ty} of Chan.^{ry} Immediately together with this Writt, Wittness o.^r Self at o.^r City of s.^t marys y.^e 7.th day of ffeb.^{ry} in y.^e 41.th year of o.^r Dominion over our S.^d province Annoq Domini 1672

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(fol. 107) Cæcilus &c To our Com.^{rs} of Ann Arundell Co.^{ty} Greeting Because in the Record & proofs as also in y.^e Rendering of Judgm.^t before you in our s.^d Court of Ann Arundell County ag.^t Thomas Daborne at the Suit of John Cumber in a plea of Trespass upon the Case manifest Error hath happened to the Great damage of the s.^d Thomas Daborne as by the Great Comp.^{te} of the Said Thomas we have reced we willing that the Errors if any be, Should in due manner be Corrected full & Speedy Justice to be done to the Said parties in this behalf We Command you that if Judgm.^t thereof be Rendered that the Records & process of the Judgm.^t w.th all things touching the same to us before our Justices of our provinciall Court to be holden at our City of S.^t maries the Eighth Day of Aprill next being the first day of our Said Court under yo.^r hands & Seals distinctly & openly you Send, that Inspection being had of the Records & proceedings therein, we may Cause further to be done what of Right according to the Laws & Constitutions of this province ought to be done therein and that you Summon the s.^d John Cumber to be then and there to hear the Same, and also that you have then & there this writt, Wittness our Self at our City of S.^t maries the 14.th day of ffeb.^{ry} in the 41.th year of our Dominion over our Said province Annoq Domini 1672

Cæcilus &c To our Sheriff of our County of Ann Arundell Greeting because in the Record & process & also in the Rendering of Judgm.^t & Granting Execucon ag.^t Thomas Daborne at the Suit of John Cumber in a plea of Trespass upon the Case manifest Error hath happened to the Grievous Damage of him the s.^d Thomas as also out of his Comp.^{te} we have accepted as by the Record & process thereupon Between the parties afores.^d by virtue of our Writt of Correcting the Erro.^{rs} to o.^r Com.^{rs} of Ann Arundell County and directed by them before our Justices of our Prov.ⁿ Court to be holden

at our City of s.^t maries the Eighth day of Aprill next und.^r their hands and Seals to be Sent, And because upon the Said Writt of Correcting of Erro.^{rs} the S.^d Thomas Daborne hath put in Sufficient mancapto.^r for his appearing in our s.^d prov.^l Court on the s.^d Eighth day of Aprill and So from day to day or at any day to him by our Said Court in the premisses prefixed or to be p^rfixed untill the S.^d Writt of Correcting of Errors Shall be determined and to Satisfie the s.^d John Cumber his damages if any Shall happen The Said Thomas the s.^d Eighth day of Aprill or at any other day.^s by our S.^d Court prefixed or to be prefixed Shall not appear or shall not prosecute with Effect or that it Shall happen the s.^d Judgem.^t Should be affirmed, therefore we Command you that from further takeing, Arresting Imprisoning or him by that occasion any ways mollesting you altogether their Supercede, and if him the S.^d Thomas for that occasion and no other you have taken him from the prison in which he is detained if upon that occasion & no other he is detained without delay you Cause to be delivered upon peril thereon following. Wittness our Self &c the 14.th of ffeb: in the 41.th year of our Dominion over our Said province Anno^o Domini 1672

Liber C D

Sp.^a to Edward Savage of Dorchest.^r Co.^y to Testifie Int. francis Stockett p.^l John Blomfield defend.^t in Chancery on the part of the p.^l ret Immediately Dated the 24.th of february 1672

Attach Versus John Quigley for want of an Answer to a Bill in Chancery at Suit of James Nuttall directed to the Sher of S.^t marys County Dated the 24.th of february 1672

Sp.^a to Andrew Skinner and George Aldridge to app^r Immediately to Test in Chancery in a Certain matter of Controversie Between Jonathan Hopkinson p.^l & John Wright & mary his wife and others defend.^{ts} on the p.^t of Defend.^{ts} Dated the ffeb: 1672

p.85
(fol. 108)

Sp.^a Henry Beedle to appear Immediately to Test in Chancery in a Certain matter of Controversie Between Jonathan Hopkinson p.^l & John Wright & mary his wife & others defend.^{ts} on the p.^t of the defend.^{ts} Dated the ffeb: 1672

Sp.^a in Chancery ag.^t John Halfhead p.^l to pay 2000.^l Tob.^o Costs to Joseph Edloe defend.^t for the dismission of the p.^lts Bill on hearing dated the 3.^d march 1672

Sp.^a in Chan^y ag.^t Charles James p.^l to pay 1004.^l Tob: Costs to John Homewood defend.^t for the dismission of the p.^lts Bill date the 3.^d of march 1672

Liber C D Comission of y^e peace to Som^rset Co.^{ty}

Cæcilius &c.^a To William Stevens, William Coleborne, John White James Jones, George Johnson, John Winder, Charles Ballard, David Brown Nicholas Rice James Dashield & Edward Smith Gent^l Comission.^{rs} for the Co.^{ty} of Som^rset the Six first named being of the Quorum dated the two & Twentieth day of ffebruary in the 41.th year of the Dominion of Cæcilius &c. Annoq3 Domini 1672

Dedimus to William Stevens & Wiffm Coleborne to Adm.^r the oath to the S.^d Com.^{rs} Dated the 22.th of ffeb: 1672

An Attachm.^t in Chancery ag.^t John Halfhead for Contempt in not paying Costs to Joseph Edloe for 2000.^l Tob.^o dated the 12.th of Aprill 1673

Cæcilius &c To all the Inhabitants of our S.^d province of maryland Greeting Whereas Severall Weighty & Urgent Occasions & affairs Relateing to our and to the Estate and defence of our s.^d province of Maryland w[e d]id hold a Generall Assembly at our City of S.^t marys the Seven & Twentieth day of march 1671 which upon the nineteenth day of Aprill next following for divers Considerations us thereunto moveing We did prorogue untill the tenth day of October then next following, and on the nineteenth day of the Same October We did for Severall Reasons prorogue y^e Same Assembly untill the fifteenth day of October then next following which upon the Sixteenth day of September last past we for Severall reasons us thereunto moveing did prorogue unto the first Tuesday in may being the Sixth day of may in the xxxxi.th year of our Dominion ov.^r our Said province Annoq3 Dom 1673 and for that the S.^d Sixth day of may when our S.^d Gen.^{ll} Assembly Should Sitt is now near at hand We for divers Reasons us hereunto moveing Doe hereby publish & Declare that the Same Generall Assembly Shall be & is hereby prorogued from the Said Sixth day of may untill the nineteenth day of may which Shall be in the year of our Lord God 1674
 (fol. 109) whereof as well our Cap.^t Generall of our Said province of Maryland as our member of our upper house of Assembly as also all the Deputys and Delegates of our Lower house of Assembly, and all other the Inhab.^{ts} of our S.^d province of maryland whom it may concern are to take notice and to order their affairs accordingly And we do hereby order and Command our Respective Sheriffs of our Severall Counties within our Said province that they upon Sight of this our Proclamation Doe Immediately publish and proclaim the Same
 p. 86
 (fol. 109) & Give the respective Deputys and Delegates of their Countys particular notice of our will and pleasure herein, Given at our City of S.^t marys under the Great Seale of our Said province of maryland the tenth day of Aprill in the 41.th year of our Dominion over o^r

Said province Annoq Domini 1673 Wittness our Dear Son Charles Calvert Esq our Cap.^t Generall and Chief Governo.^r of our s.^d province of maryland Liber C D

I m Cæcilius &c To the Sheriff of Calvert County Greeting Whereas there is a Judgm.^t obtained ag.^t John Harris Adm.^r of Thomas Sundeby deēd in our prov.th Court at the Suit of Ambrose Biggs for the Sumē of 1750.^l of tob: with Costs of Suit, and for that the S.^d John Harris Adm.^r of the S.^d Sunderby is Departing the Country and Carrying the S.^d Sunderby's Estate with him & hath not as yet Satisfied the S.^d Judgem.^t We do therefore Command you that you take the s.^d John Harris if found in your Bailywick and him Safely keep till he Enter into Recognizance in our Said Court of Chancery w.th Sufficient Suretys not to Depart our S.^d province till he have fully Satisfied the Said Judgem.^t and how you Shall Execute this writt that you make known to us without delay in our S.^d Court of Chancery Wittness &c Dated the 29.th of April 1673

Cæcilius &c To Mary Bateman, Richard Perry, John Gittings Thomas Trueman, Mary his wife & Thomas Gaunt & Every & either of you Greeting We Command you that all Excusses Set apart & all Busieness Ceasing you & either & Every of you be & personally appear before us in our high Court of Chancery the Six & Twentieth day of this Instant June at our manno.^r house of Zachiah in Charles County to Answer to Such things as Shall be objected against you by Henry Scarborough of London in the Kingdom of England merchant Comp.^l in a Case of Equity depending before the Justices of our Said Court ag.^t you and others defend.^{ts} That our S.^d Justices hearing the Cause may do therein as according to Justice the Laws of this province ought to be done, and that you take out a Copy or Copys of the S.^d Comp.^{ts} Bill So that you may have then and there ready your Joynt and Severall Answers in Writing to the s.^d Bill that So there may be no further delay in the p^rmisses, and this you may in no wise Omitt under the pain of one hundred pounds Sterl apiece Wittness &c.^a the 2.^d of June in the 41.th year of o^r Dominion over our Said province Annoq Domini 1673 Langhorne & Morecroft p Quer

Sp.^a Margaret Perry Sp.^a Versus Phillip Savalia, John flouer Harman Williams Dennis Humber, Jacob Young, Richard Whittin & Edmond Cantwell to Testify inter her & Thomas Howell & al defendants ret Imediate Teste 3.^d Junii 1673

Sp.^a Henry Beedle & Sophia his wife p.^{ts} versus Geo: Wells def.^t (fol. 110)
Sp.^a John Dunch to Test for them in Chancery ret Imediately

Liber C D Sp.^a Henry Beedle & Sophia his wife p.^{lts} versus George Wells defend.^t Sp.^a Richard Evens & Mathias Stevenson to Testify for them in Chan.^{ry} ret Immediately dated 24.th June 1673.

Cæcilius &c To all persons to whom these presents Shall Come Greeting in our Lord God Everlasting Know ye that we Reposing Speciall Confidence & trust in the honesty fidelity Circumspection and providence of Luke Gardner of the County of S.^t marys in our Said province Gent have Constituted Ordained and appointed and do by these presents Constitute Ordain and appoint you the Said Luke Gardner to be Sheriff of our Said County of S.^t maries (p. 87 fol. 110) and to have receive and Enjoy Such Lawfull priviledges & benefits as any other Sheriff within this province of maryland now hath or Ever Lawfully had, To have and to hold the Said office or Employ.^t to you the Said Luke Gardner for one whole year to be Completed from the day of the date hereof and after till another Sheriff shall be by us appointed & Constituted you having first taken your oath and given Bond to our Cap.^t Gen.^{ll} of our Said province according to Law Given at our City of S.^t maries under the Lesser Seale of our S.^d province of maryland the first day of may 1673.

The like Commiss.ⁿ

To John Allen for Charles County
To Christopher Rousby for Calvert County
To Henry Stockett for Ann Arundell County
To Thomas Carleton for Baltemore County
To William Coleborne for Sommerset County
To Robert Dunne for Kent County
To Thomas Taylor for Dorset County
To Stephen Tully of Talbot County

Cæcilius &c To the Sheriff of S.^t marys County Greeting fforas-much as Alexander D'hynioffa Adm.^r of the Goods and Chattells of Alexander D'hinyossa his father deēd who was in his life time Indebted unto Thomas Hawkins of this province in Severall great Sumes of Tob.^o and money Sterling, and hath Gotten into his hands the Estate of his father and is now departing this province without making any paym.^t or Giveing to the Said Hawkins any Satisfaction therefore, These are therefore to require and Command you that you take the Body of the Said Alexander D'hynioffa & him Safely keep till he Enter into Recognizance with Sureties in our Court of Chancery not to depart this province till he have given Satisfaction to the Said Hawkins for his Said debt herein you are not to faile at your peril Wittness & dated 28.th June 1673.

I: M: p Quer

To his Excellency Charles Calvert Cap^t Gen.^{ll} and Chief Governour of Maryland. Liber C D
(fol. 111)

The Humble petition of Thomas Hatton of Tewkesbury in the Co.^{ty} of Gloucester in the Kingdom of England Brother & heir of Jn^o Hatton formerly of London and late of this province merchant deceased

Sheweth

That Whereas your Petition.^{rs} Brother dyed in this province of Maryland in the year 1663 and at the time of his Death was Seized of divers Tracts of Land by him in his life time purchased of Severall persons Inhabitants in this province who had obtained patents for the Same according to the Conditions of plantation Granted to them by the Right Hon.^{ble} the Lord proprietary of this Province to witt Six hundred acres of Oliver Spry Sen.^r in Baltmore County Called Spry Hill, Three hundred and fifty of Godfrey Harmo^r Called mount Harmour four hundred acres of James Rigby Called Parsimmon Point in Rumley Creek and also one parcell of Land in Chester River called whiteclifts bought of William Hemsley Containing three hundred acres one hund.^d acres bought of one Thomas Bennet, and yo.^r pet.^r liveing Remote in England did Employ & empower Severall persons by Letters of attorney to Seek to acquire & Enter upon the Same for yo.^r pet.^{ers} use w.^{ch} all of them either by Ignorance or Carelessness haveing omitted there is divers and Sundry years Rent behind in arrears which are due for the Said Lands to the Right Hon.^{ble} the Lord Proprietary, all which your petition.^{er} is Ready and willing to Satisfie and Secure in Such manner as your hono.^r shall appoint, he humbly prays your Excellency to accept thereof, that So your pet.^r may be in a Capacity to Enter upon and Enjoy the Said Lands being his Just Inheritance p. 88
(fol. 111)

And Whereas by virtue of a writt of mandamus issuing out of the high Court of Chancery the 15.th of aprill 1671 directed to Thomas Howell and James ffrisby Gent^l to Inquire by the Oaths of Twelve men &c what Lands the Said John Hatton dyed Seized, Seized of in Baltmore County w.^{ch} Jury not having full & true Evidence found an untrue & Erroneous Office to the damage of the Right Hon.^{ble} the Lord Proprietary in his Just Rents and your petitioner in his Inheritance

Yo.^r Petition.^r humbly prays yo.^r Excellency to direct & ord.^r that a Writt of melius Inquirendum may be issued out of the Chan.^{ry} for the more Certain and better Inquiry thereof to be made that his Lordship may be ascertained his Just Rents and yo.^r pet.^r his Inheritance. And yo.^r pet.^r Shall pray &c

Underneath the aforegoing petition was thus written (viz^t) Ordered upon this petition that the pet.^r make up accounts with Robert (fol. 112)

Liber C D Ridgely at the office for what Shall be due for arrears of Rent w.^{ch} Said Ridgely is hereby Ordered to make diligent Search for what Shall be due & their to receive the Same or take Caution for it from the pet.^r and further Ordered that a melius Inquirendum issue according to the prayer of the petition Given under my hand this 17.th of July 1673

Charles Calvert

Cæcilius &c To Thomas Howell James ffrisby and William Dunkerton of our County of Baltemore Gent^l Greeting Whereas by a Certain Inquisition before Thomas Howell & James ffrisby Gent^l of our County of Baltemore by our Command taken and in o^r Chan.^{ty} returned It appeareth that John Hatton deceased had divers lands & Tenements in our S.^d Co.^{ty} of Baltemore & of them at the time of his Death dyed Seized and who is his next heir the Juro.^{rs} know not Notwithstanding Thomas Hatton of Tewkesbury in the County of Glocester in the Kingdom of England a brother & next heir of the S.^d John Hatton and of the age of one and Twenty years & upwards and that the S.^d John Hatton held at the time of his death Six hundred acres of Land Commonly known by the name of Hatton's Island and by Common Report three hundred acres of Land in Rumley Creek on the East Side of the Creek that he purchased the S.^d Six hundred acres of Godfrey Harmo.^r and as for y^e yearly valuation the S.^d Juro.^{rs} know not being never Seated but always Rough land and because it is not Specified in the Said Inquisition, who is the next heir of the Said John Hatton, nor of what value the lands & Tenem.^{ts} are and what Estate the s.^d John Hatton dyed Seized of nor by what Right he held the Same, and also because we are Given to understand that the Said John Hatton held more & other Lands in our S.^d County of Baltemore at the time of his Death than are Specified in the said Inquisition We being Willing of the truth of the premisses to be better Certifyed have assigned you or any two of you to Inquire by the Oaths of Twelve Good and Lawfull men of our Said County of Baltemore what more or other Lands & Tenem.^{ts} the s.^d John Hatton held in our Said County of Baltemore & at the time of his Death of whom the Said Lands and Tenem.^{ts} are holden and by what Rent & Services and how much they are of value by the year and who hath Occupied or doth occupy the Said Lands and Tenem.^{ts} Since the time of the Death of the Said John Hatton, and who hath received or doth Receive the issues any profits thereof and by what Title & who is his next heir, Therefore We Command you or any two of you that at a Certain day & place by you to be appointed by the oaths of Twelve Good and Lawfull men of our Said County of Baltemore you make Inquisition of the premisses and how and in what manner you Shall Execute this our precept, and the Inquisition by you made distinctly & openly to us in our Chancery under your hands & Seales and the hands and Seales of them by whom the Inquisition Shall be made without

p. 89
(fol. 113)

delay you Send and this Writt for we have commanded our Sheriff of Baltimore County that at Such day and place as you Shall make known unto him he Cause to Come before you Twelve Good and Lawfull men of his Bailywick to be ready upon their oaths to Recognize upon the premisses, Wittness our Self at our City of S.^t maries the 12.th day of August in the 42.^d Year &c Annoq Dom 1673 Liber C D

Cæcilius &c To the Sheriff of Bal^t County Greeting We Command you Summon Twelve Good & Lawfull men of your Bailywick that they be before our Trusty & Well beloved, Thomas Howell, James ffrisby and William Dunkerton Gent or any two of them at the Certain day & place that they the S.^d Thomas Howell, James ffrisby & W.^m Dunkerton or any two of them Shall make known unto you, ready upon their Oaths to Recognize what Lands and Tenements John Hatton deced held at the time of his Death in our S.^d County of Baltimore and of whom the Same are holden & by what Rents & Services & of how much value they are by the year and who doth occupy or hath Occupied the S.^d Lands & Tenem.^{ts} Since the day of the Death of the S.^d John Hatton and who hath Received & doth receive the profits thereof and by what Title and who is next heir; and that you Imbreviate their names and have you there the names of those Twelve & this writt Wittness our Self &c 12.th August 1673.

Cæcilius &c To Samuell Hatton & Godfrey Harmour Greeting for Certain Causes proposed before us in our Chancery we Command & firmly injoyn you and Each of you that all busieness Set a part and all Excuses Ceasing you be in your proper persons before our Trusty and well beloved Thomas Howell James ffrisby and W.^m Dunkerton Gent or any two of them at Such day and place as by them Shall be made known unto you to Testify the truth in a matter depending before them and by them then & there to be Examined on the part of Thomas Hatton and this in no wise you are to Omitt under the pain of one hundred pounds Sterling apiece and have you there this writt, Wittness our Self at our City of S.^t marys the twelfth day of August 1673.

Cæcilius &c To the Sheriff of S.^t maries County Greeting Whereas John Wahob hath come before us in our Court of Chan.^{ry} and hath found Suficient Security as well his Clamo.^r to psecute as for his Servant George Mills w.^{ch} Abell James took & unjustly detains (as it is Said) to be Returned if the Return of him be adjudged therefore we Charge & Command you that the Servant afores.^d to the Said John Wahob Replevyed to be & delivered you Cause & put by Surety & Safe pledge the afores.^d Abell James that he be before o^r Justices of our provinciall Court on the first day of the Said Court to be held at the City or S.^t maries the Eleventh day of November (fol. 114)

Liber C.D. next to answ.^r the af.^d John Wahob of a plea of taking and unjustly
 p. 90
 (fol. 114) detaining of his Servant afores.^d and how this our Writt Shall be
 Executed to our Justices at the S.^d next Court at the S.^d City of S.^t
 maries to be held you make known under the pain Incumbent and
 also then & there make return of this writt Wittness &c dated the
 Eighth day of September in y^e 42.th year of o^r Dominion over o^r Said
 province Annoq̄ Dom 1673

KC Charles &c To the Sheriff of Charles County Greeting
 Whereas Peter Sayer hath Come before us in our Court of Chan-
 cery and hath found Sufficient Security as well his Clamour to prose-
 cute as for one horse Called Roane being the proper horse of him
 the said Peter w.^{ch} John Allen took &c dated 8.th may ret 11.th
 June 1678 *

KC Peter Sayer Replevin ad vic Com Charles ag.^t John Saun-
 ders for one horse Called Cooper, marked on the near Buttock &
 one horse Called Aahy dated 8.th may ret 11.th June 1678

KC Peter Sayer Replevin ad vic Com Charles ag.^t John Cole
 for one horse Called Twiggs dated 8.th may ret 11.th June 1678

RC Thomas Taylor Esq̄ Replevin ad vic Com Baltemore ag.^t
 William Ball for Six Cows two Steers, one Bull two heyfers dated
 10.th may ret 11.th June 1678.

IB Thomas Bland Replevin ad vic Com AA ag.^t Edward
 Dorsey for one Servant Called Joseph fletcher dat 20.th June ret 8.th
 Octob.^r 1678

IB Thomas Harris Replevin ad vic Com Dor ag.^t Thomas
 Pattison for one Servant Called Rowland Morgan dat 29.th July
 ret 8.th Oct. 1678

RC Kenelm Mackloughlin Replevin ad vic Com Cha ag.^t
 Thomas Russell for one Sloop Called the John and Ann with the
 Tackle furniture boat and Oares the Same belonging dat 7.th Aug.^t
 ret 8.th Oct.^r 1678

IB Phillip Pacock Replevin ad vic Com Cal Ag.^t Thomas
 Smith for one Chest one Suit of Cloaths Eleven Ells and a half of
 ozonbergs fourteen Ells three quarters fine Hambrough Cloth ten Ells
 and a half of Holland twenty Seven yards blew Linnon nine Caster
 hatts, one piece of filliting Eight pair of Stockings four Ounces of

* [The dates of the above replevin entries all read 1678. Whether these year
 dates are correct and are later inserts, or are clerical errors for 1673, has not been
 determined.]

fine thread, one pound of Nutmegs three thousand pins one Coasting Liber C D
Coat one doz.ⁿ of Stock locks one pair of Shoes, one Rundlett with
Brandy and one match Coat dat 16.th August ret 8.th Octob.^r 1678.

An Inquisition Indented taken at the Court house for Baltimore (fol. 115)
County the Six and Twentieth day of August in the 42th year of the
Dominion of the Right Hon.^{ble} Cæcilius absolute Lord Proprietary
of the provinces of Maryland and Avalon Lord Baron of Baltimore
&c and in the year of our Lord God 1673 before Thomas Howell
& William Dunkerton of the Same County Gent By virtue of a
Commission of melius Inquirendum To Thomas Howell James
ffrisby and William Dunkerton or two of them directed, And to this
Inquisition annexed to Enquire after the Death of John Hatton
deceased by the oaths of Gideon Gundry Benjamin Gundry, William
Pierce, John Cock, John Ryland Phillip Hollerger, Richard Leake,
Nicholas Allum Henry Eldsely Hendick ffreeman, Neales Vrinson,
James Heborne who Say that the Said John Hatton was Seized in
his Demeane as of ffee on the day that he dyed of and in one parcell
of Land Cont.^d three hundred acres Called Hermons Mount & by
him purchased of one Gothfred Hermon w.^{ch} was held of the Lord
prop.^{ry} as of his manno.^r of Baltimore in free and Common Soccage
by ffealty only for all Services yeilding and paying therefore yearly
unto the Said Lord proprietary and his heirs the yearly Rent of Six
Shillings Sterling. And more that the Said John Hatton dyed Seized
of in his Demeane as of ffee of Six hundred acres of Land Called
Spry Hill and by him purchased of one Oliver Spry which was held
of the Said Lord proprietary as of his manno.^r of Baltimore in free
& Common Soccage by ffealty only for all Services Yeilding and pay-
ing therefore yearly unto the Said Lord proprietary and his heirs
the yearly Rent of Twelve Shillings Sterling and moreover that the
S.^d John Hatton dyed Seized of in his Demeane as of ffee of four
hundred acres of Land Called Persimmon point and by him pur-
chased of one James Rigbie w.^{ch} was held of the S.^d Lord prop.^{ry}
of his manno.^r of Baltimore in free and Common Soccage by fealty
only for all Services Yeilding &c paying therefore yearly unto the
Said Lord prop.^{ry} and his heirs the yearly Rent of Eight Shillings
Sterling and that the Said Jn^o Hatton in the Said Inquisition named
dyed the third day of may one thousand Six hundred Sixty three,
and That Thomas Hatton of Tewkesbury in the County of Gloucester
in the kingdom of England Brother to the S.^d John Hatton is his
next heir. And that the s^d John Hatton at the time of his Death had
not nor was Seized of any other Land, and Tenem.^{ts} in the S.^d
County of Baltimore to the best of the Knowledge of the Said
Jurors. In Wittness whereof to one p.^t of this Inquisition in the
hands of the Said Com.^{rs} Remaining as well the Said Thomas Howell
and William Dunkerton Com.^{rs} as the s^d Juro^{rs} their hands & Seals
have put, But to the other p.^t thereof in the hands of the S.^d Juro.^{rs}

p. 91
(fol. 115)

Liber CD Remaining the S.^d Tho.^s Howell & Will.^m Dunkerton Com.^{rs} their hands and Seals have put the day and year aboves.^d

Thomas Howell

Seale

W.^m Dunkerton

Seale

Gideon Gundryseale	the mark R L of
Benj. ^a Gundryseale	Richard Leakeseale
W. ^m Pierceseale	the mark of □
John Cockseale	Neles Vrinsonseale
the mark of P H	Nicho. ^s Allisonseale
Phill Hollegorseale	Henry Eldeslyseale
the mark I R of	Henrick freeman Elderly. .seale
John Rylandseale	Ja: Heborneseale

(fol. 116) Thomas Warner a writt of Replevin for a Red Cow Directed to the Sheriff of Calvert Co.^{ty} versus John Gittings ret the 11.th of November next dated the 24.th of October 1673

Sp.^a Thomas Gaunt of Calvert County to Answer unto Henry Scarborough of London merchant ret the 11.th November next

Sp.^a Jeremy Eaton and mary his wife Adm.^{rs} of Thomas Ingram deced to Answ.^r unto Jonathan Sybry ret the 10.th of ffebruary next Dated the 17.th day of November 1673.

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(fol. 116) Cæcilius &c To Henry Adams & Thomas mathews of Charles County Gent Greeting We Command you that by the oath of twelve Good & Lawfull men of your Said County by whom the truth of the matter may the better be known & Inquired of, That you diligently inquire what Lands or Tenem.^{ts} John Hutchinson late of our Said County of Charles County dyed Seized of in his Demeasne as of ffee at the time of his Death and of what manno^r holden and by what Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues and at what time the S^d John Hutchinson dyed & who is his next heir and of what age the Said heir is and who those Lands and Tenem.^{ts} from the time of the Death of the Said Hutchinson hath or doth Occupy and the issues & profits thereof hath or doth Receive & by what Title and how and in what manner. And the Inquisition thereof distinctly and openly made to us in o.^r Chancery under your hands and Seals and the hands and Seals of them by whom it Shall be made without delay you Send and this our Writt Wittness &c the 25.th of November 1673

Sp.^a John Blomfield to appear in Chancery the tenth of ffeb next to hear Judgm.^t Int him and ffrancis Stockett Complainant Dated the 26.th of November 1673

Spā John Wright to appear in Chancery the tenth of ffeb : next to hear Judgem.^t int him & Jonathan Hopkinson Comp.^{te} dated the Six and Twentieth of November 1673: Liber C D

Sp.^a Richard Hill of Annarundell Co.^{ty} to appear Immediately to Test (fol. 117) for Toby Wells ag.^t John Wright defend.^t dated 26.th November 1673

A Writt Diem Clausit Extr for the Estate of Hopkin Davis late of Talbot County deēd Directed to Jonathan Sybry and William Coursey Dated the 11.th of December 1673.

Sci fac

Cæcilius &c To the Sheriff of Talbot County Greeting Whereas We did by our Letters patents under our Great Seale of our Province of Maryland bearing date y.^e Twentieth day of Jan.^{ry} in the 36.th year of our Dominion over our Said province Annoq Dom 1667 for the Considerations therein named Grant unto John Edmondson of Talbot County in our Said province of maryland merchant a parcell of Land Called Richardsons folly, Lying in Talbot County on the South Side of Choptanck River above the Second Turning of the Riv.^r Cont.^a & then Laid out for one thousand acres more or Less as by our Said Grant Remaining upon Record Relation being thereunto had more fully & more at Large it doth and may appear. Now for that We have been Informed that the Said Land had been before that time Surveyed for another person who never made Good Rights for the Same whereby the Said Land became Elapsed unto us and So was not free for any person to take up according to our Conditions of plantation by virtue of any Common Warrant. So that the S^d Grant of ours to the Said John Edmondson was unduly and Surreptitiously obtained We do therefore Command you that by Good and Lawfull men of your Bailywick you make known & Give Warning to the Said John Edmondson or any other pson that is in possession of the S.^d Land or any p.^t thereof that he & they be before us in our Court of Chancery the tenth day of ffeb.^{ry} next wheresoever we Shall then be to Shew Cause if any they have wherefore the Said Letters patents of the af.^d Land as af.^d made ought not to be Revoaked and adnulled and the Same into our hands be Seized, and to do and Receive what our s.^d Co.^{rt} shall do or Grant to be done in this behalf & how you Shall Execute this process that you make known to our said Court at the day af.^d & have you there this Writt Wittness &c y.^e 11.th day of Dec.^r in y.^e 42 year of o.^r Domⁿ ov.^r o.^r Said province Annoq Domini 1673

Sci fac

Idem ad Sher Charles County to make known to the heirs of Walter Beane deceased to Shew Cause if a patent to the s.^d Beane

Liber C D for 750 acres of Land Called Durham bearing date the 7.th of Sept.^r 1666 & part of our manno.^r of Pangaya Should not be vaccated upon Record ret ut Supra Teste 3.^o Jan: 1673

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(fol. 118) Richard Balley writt of Replevin for Seven Catle to Witt, two Cows, two Calves, two heifers and one Bull directed to the Sheriff of Calvert County versus William King Dated the 23.th Dec.^r 1673 Ret the 10.th ffeb: next.

Quem Diem Clausit Extremum ad Sher Charles County to Henry Adams & Benjamin Rozer Gentl to inquire after the Lands of Richard Watson deēd Teste 1.^o Jan: 1673 ret Imediate.

Idem ad S.^d Henry Adams & Benj.^a Razer Gentl to inquire after a parcell of Land Called Battins Dales Lying in Charles County and on the west Side of Wiccocomoco River and on the west Side of Zachiah Swamp being about a mile north from a parcell of Land Called Daniell's Mount Containing one thousand acres more or Less, in the possession of Josias ffendall as tis Said whether William Battin of Charles County Dyed possessed thereof & who was his next heir &c Ret Imediate Teste ut Supra

Sp.^a Edmond Lindsey to be and appear in Cant 10.th ffeb. next to Testify the truth of his knowledge touching the Survey of a parcell of Land Called Durham Surveyed by Walter Beane it being part of our Manno.^r of Pangaya Teste 3.^d Januarii 1673.

In Chancery Between John Balley p.^{lt} and James Neale defend.^t & Between the S.^d James Neale p.^{lt} and the s.^d John Balley defend.^t The p.^{lt} John Balley maketh oath that upon the 9.th or 10.th day of Ap.^{ll} last he psonally Served the S.^d defend.^t James Neale with a writt of Execution of a Decree made in these Cases bearing date the 26.th day of ffebruary last by delivering unto him the s.^d Neale the S.^d Writt of Execution of the S.^d Decree under the Seale of this Hon.^{ble} Court by which S.^d Decree the S.^d James Neale was to pay unto the Said John Balley forthwith the Summe of Sixty one Thousand five hundred and ninety pounds of Tobacco, And this Depon.^t further Saith that at the Same time this Depon.^t did in the presence of Hugh Oneale, Charles Butler & others demand & Require from the Said James Neale the Remainder of the Sum of 61590.^{ll} Tob then unpaid which was 25176.^{lbs} tob: the S.^d James Neale haveing after the Said Decree made & before Such Service paid unto this Depon.^t or his Order the Summe of 36414.th Tob for the w.^{ch} this Depon.^t did Give him a discharge upon Record and the S.^d James Neale did at the time of Such Service of the s.^d Execution Say that he could not then pay the Residue but that he would pay the Same to him the

Said John Balley or his order at any time when Required this present
 Cropp of Tobacco 1673. And this depon.^t further Deposeth and Liber C D
(fol. 119)
 Saith that for & towards paym.^t of the Remainder of the Said
 Tobacco due by the said Decree being 25176.¹ this Depon.^t hath
 Given Sev.^{ll} orders to receive Sev.^{ll} Sum^s of Tob.^o amounting to
 9298¹ Tob: but he the s.^d James Neale hath not thitherto for any
 thing appears by any accounts made by him the Said James Neale
 to this Depon.^t or the s.^d notes delivered both to this Deponent p.^d that
 S.^d Sum^e of 9298.¹ Tob.^o or any π ^t thereof to this Depon.^{ts} knowl-
 edge though this depon.^t did the last Co.^{rt} inform the s.^d Neale of the
 S.^d ord.^r and notes Charged on him w.^{ch} he then promised to pay
 together also with the Remaind.^r of the Said Sum^e Decreed w.^{ch}
 in the whole (all the s.^d Sum^e) of thirty Six thousand four hundred &
 fourteen pounds, & 9298.¹ Tob (if made appear to be p.^d) will amount
 to the Sum^e of 15878.¹ of Tob^o which Said Sum^e of 15878¹ Tob.^o p. 94
(fol. 119)
 the Said James Neale hath not hitherto paid but Still Refuseth to
 pay the Same John Balley.

Juravit Die 22.^o Decembris Anno Domini 1673

Coram me Phillip Calvert

Att Charles County Attach James Neale for the breach of a
 Decree als John Balley by the Oath of the Said Balley ut Supra ret.
 10.th feeb.^r Teste 23.^o Decembris 1673.

Quem diem Clausit Extr to Henry Hyde & Richard Loyd of S.^t
 maries County Gent to Inquire after the Lands & Tenem.^{ts} of John
 Pritchett deceased Test one & thirtieth day of Jan.^{ry} 1673 ret
 Immediat

Quem diem Clausit Extr to Joseph Weeks & John Wright of
 Kent County Gent to Inquire after the Lands of Andreas Elinor (a
 Spaniard) deēd Test the fourth of march 1673 ret Immediat

Cæcilius &c To the Sheriff of S.^t maries County Greeting Whereas
 we did by our Letters patent under our Great Seale of our s.^d prov-
 ince of maryland bearing date the Seventh day of Sept^r in the year of
 our Lord 1663 for the Consideraōns therein named Grant unto
 Thomas Gerrard Esq.^r a parcell of Land Called the Meadows Lying
 at the head of Wiccocomoco River in S.^t maryes County Containing
 and then Laid out for four hundred acres more or Less as by our
 Said Grant Relation being thereunto had more fully and more at
 large it doth and may appear, Now for that we had Long before that
 time Reserved for our own use a parcell of Land in S.^t marys County
 Called Choptico manno.^r of w.^{ch} the Said parcell of Land is part,
 And the Said Thomas Gerrard being Sencible thereof fraudulently
 procured our Grant afores.^d to the disinherizon of us & our heirs of
 the p^rmisses, And the Said Thomas Gerrard being Since deēd We (fol. 120)

Liber C D Command you therefore that by Good & Lawfull men of your Bailiwick you make known & Give Warning unto Thomas Gerrard (Son of the s.^d Deſed) who Claimeth the Same under him. That he be before us in our Court of Chancery the fourteenth day of Aprill next wheresoever it Shall then be, to Shew Cause if any he have wherefore the Said Letters patent of the S.^d Land as afores.^d made ought not to be Revoaked & Annulled & the Same into our hands be Seized And to do & Receive what our Said Court Shall do or Grant to be done in this behalf and how you Shall Execute this precept that you make known to our Said Court at the day aforesaid and have you there this Writt Wittness our Self at our City of S.^t maries the ninth day of march in the 42.th year of our Dominion over our said province Annoq Domini 1673.

Cæcilius &c To Joseph Weeks & John Wright of Kent Co.^{ty} Gentl Greeting We Command you that by the Oaths of twelve Good & Lawfull men of your Said County by whom the truth of the matter may the better be known & Inquired of that you diligently Inquire whether Andreas Elinor a Spaniard late of yo.^r County deſed was Seized in his Demeasne as of fee at the time of his Death of a Certain Tract of Land Called Stoopley Gibson Lying on the north East Side of the Isle of Kent formerly Granted unto Henry Stoope & John Gibson & Containing 150 acres of what manno.^r p ut another of the Same nature fo : 441 Dated 4.th march 1673

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(fol. 120) Spā ag.^t John Clement, Thomas Vaughan and John Ingram to appear in Chan.^{ry} ats Jn.^o Edmondson ret 14.th Ap.^{ll} next Dated 14.th march 1673

Spa ag.^t John Wright to hear Judgm.^t ats Toby Wells ret 14.th Ap.^{ll} Test 14.th march

(fol. 121) An Inquisition Indented taken at the house of m.^r Thomas Dent in S^t marys County the 6.th day of ffebruary in the 42.th year of the Dominion of the Right Hon.^{ble} Cæcilius absolute Lord & Proprietary of the provinces of maryland and Avalon Lord Baron of Baltemore &c and in the year of our Lord God 1673 before Henry Hide and Richard Lloyd Gentl by virtue of a writt of mandamus to us directed and to this Inquisition annexed to Inquire after the Death of John Pritchett deceased by the Oaths of George macall, W.^m Cannaday, Will.^m Watts Robert Crane, Robert Jones, Patrick ffoorest Sen.^r Peter Watts, ffrancis Hill, William Harper, Thomas Bennett, John Macky, Jonathan Squire, who say that the S.^d John Pritchett was Seized in his Demeasne as of fee on the day that he dyed of and in one parcell of Land Containing 350 acres Called Tinkerly or Wiekahandiek which was held of the Said Lord Proprietary as of his manno.^r of West S.^t maries in free and Common Soccage by ffealty only for all Services Yeilding and paying therefore yearly unto the

Said Lord Proprietary & his heirs the yearly Rent of Seven Shillings Sterling money or three Bushells and a half of Good Corne and that the Said John Pritchett in the Inquisition named dyed Some time in September in the year of our Lord God 1656 and that William Pritchett of the Said County is son and heir to the S.^d John Pritchett deceased & now betwixt the age of one & two & Twenty years w.^{ch} said Land is now in the Occupation of John Nicholls and that the Said John Pritchett at the time of his Death had not nor was Seized of any other Lands nor Tenem.^{rs} in the S.^d County of S.^t marys to the best of our knowledge. In Testimony whereof as well we the Com.^{rs} as the Juro.^{rs} afores.^d to this present Inquisition have Interchangeably Set our hands & Seals y^e day & year first above written

Liber C D

Henry Hydesealed

R.^d Loydsealed

George Macall Msealed	ffrancis Hillsealed
W. ^m Cannaday Msealed	W. ^m Harpersealed
W. ^m Wattssealed	Thomas Bennettsealed
Rob. ^t 7 Cranesealed	John Macky 3sealed
Rob. ^t Jones REsealed	Jonathan Squiresealed
Peter Wattssealed	Patrick ffoorest Sen. ^rsealed

Cæcilius &c To our Sheriff of S.^t mary's County Greeting Where-
as we did by our Deed of Grant under our Great Seale of o.^r Said
province bearing date the fourteenth day of may of may in the
36.th year of our Dominion over our Said province Annoq̃ Domini
1668 for the Considerations therein named Grant unto John Nicholls
of the Co^{ty} of S.^t maries in our Said province planter a parcell of
land lying in S.^t maries Creek near the Streights & formerly taken
up and patented by John Pritchett planter & Containing three hun-
dred & fifty acres more or Less & for that we were informed by the
S.^d nichols that the Said Land was Escheated unto us and Whereas
Since that is to Say the 31.th day of January in the 42.th year of our
Dominion over our Said province Annoq̃ Domini 1673 our Speciall
Writt out of this Court issued to Henry Hyde and Richard Loyd of
s.^t marys County Gentl Directed thereby Commanding them that by
the Oaths of Twelve Good & Lawfull men of the Said County by
whom the truth of the matter might the better be known & Enquired
of that they Should diligently Inquire what Lands & Tenem.^{ts} John
Pritchett Late of the Said County deced held of us in his Demeasne
as of ffee at the time of his Death & of what manno.^r holden & by
what Services & how much those Lands were of value by the year
in all issues & at what time the Said John Pritchett Dyed and who
was his next heir & of what age the s^d heir is & who those Lands &
Tenem.^{ts} from the time of the Death of the Said John Pritchett had
or did occupy and the issues and profits had & did receive & by what
Title & how & in what manner & the Inquisition thereof Distinctly

p. 96
(fol. 122)

Liber C D and openly made to us in our Chancery under their hands and Seales and the hands & Seales of them by whom it Should be made without delay they Send In Obedience whereunto the Said Henry Hide and Richard Loyd under their hands & Seales & under the hands & Seales of twelve Good & Lawfull men of the said County Do Return an Inquisition Indented to us in our Chancery bearing date the 6.th day of february last where amongst other things It is found that John Pritchett was Seized in his Demeasne as of ffee on the day that he dyed of and in one parcell of Land Containing 350 acres Called Tinckerly or Wicchandiek held of us as of our manno.^r of West S.^t maries in free and Common Socage under the yearly Rent of 7.^s Sterling money or three Bushells & half of Good Corn & that the Said John Pritchett Dyed Sometime in Septemb.^r in the year 1656 and that William Pritchett of the Said County is Son & heir to the S.^d Pritchett deceased & now betwixt the age of one & two & Twenty years and that the Said Land is now in the Occupation of John Nicholls, We do therefore Command you that by Good and Lawfull men of your County that you make known unto the Said John Nicholls that he be before us in our Court of Chancery the 14.th day of Aprill next wheresoever we Shall then be to Show Cause if
(fol. 123) any he hath why the Said Letters patents to him Granted of the Said parcell of Land as aforesaid Should not be vaccated upon Record & a patent of Confirmation for the Same issue unto the Said William Pritchett Son & heir of the Said John Pritchett deēd and in the Said Inquisition named, And further to do & Receive what our Said Court Shall do or Grant to be done in this behalf and how you Shall Execute this precept that you make known to our Said Court at the day aforesaid and have you there this writt Witness our Self the tenth of march 1673

Sp.^a Jacob Young and Henry Hazlewood to app^d in Chan.^{ry} y^e fourteenth day of Aprill next to Test for margaret Penry ag^t Thomas Howell Defend.^t Wittness &c dated the 2.^d of Aprill 1674.....

On the Back side of a patent for 600.^a of Land Granted to Deliverance Lovely was written as follows.

Let a mandamus for the Land within menēoned issue to Joseph Weeks & Henry Hosier in usuall form Given under my hand this Seventh day of April 1674

Charles Calvert

Whereupon a Mandamus issued to the Said Joseph Weeks and Henry Hosier of Kent County Gent dated the 9.th of Ap.^h 1674

p. 97
(fol. 123) Cæcilius &c To Thomas Trueman Esq.^r and Nathaniell Trueman of Calvert County Gent Greeting We Command you that you & Every of you all Excuses Set apart and all busieness Ceasing you &

Every of you be and personally appear before us in our high Court of Chan^{ry} on Tuesday the fourteenth day of Aprill next wheresoever it Shall then be to Answer unto Thomas Sprigg in a Cause of Equity depending before our Justices of our Said Court ag.^t you defend.^t that our Justices hearing the Cause may do therein as according to Justice and the Laws of this province ought to be done and of this you may in no wise omitt under the pain of one hundred pounds Sterling apiece Wittness & Dated the 9.th of Aprill 1674 Liber C D

Subp. ag.^t Jn.^o Clements, Thomas Vaughan & John Ingram to appear in Chancery ad Sect John Edmondson ret 12 may next dated 20.th April 1674

Subp: ag.^t Thomas Mathews & Richard Cole to appear in Chan.^{ry} 12.th may next to Answer W.^m Gwyther dated 18th Aprill 1674

Subp: George Charlesworth, Henry Rider, Joseph Hackney, w.^m Claugh & Sarah his wife to appear in Chan.^{ry} 12.th may next to Ans.^r W.^m Gwyther dat 18 ap.^l 1674

Subp: Thomas Truman & Nathaniell Truman to appear in Chancery the 12.th may next to Answer Thomas Sprigg dat the 22.th Aprill 1674.

We of the Jury according to the Oath Given &c Declare that (fol. 124) Andrew Ellenor (a Spaniard) Dyed Seized of the one half of the Land Called Stoopley Gibson and held in the manno.^r of Baltemore in free & Common Soccage paying one Shilling & Six pence p year, And that the Said Andrew Ellenor Deceased in June 1660 We find it in Value Two hundred pounds of Tobacco p year for the issue & profits, And that his two Daughters to wit Sarah the wife of William Joyner is aged about Seventeen years & Ann the wife of Lawrence Arnold aged about fifteen year his quo heirs, And that from the Death of the Said Andrew Ellenor, his widow possessed and after She marrying with macom Mehenny he possessed and he Dying the widow Intermarried with John Dabb and he possessed and now in the possession of William Joyner and Lawrence Arnold Joyntly Witness o^r hands & Seales this x.th day of Aprill 1674.

Jurat Coram Nos

Josh: Wickes sealed

John Wright sealed

John Gramsealed	Edward Brown Sig: E . . .sealed
Disb Bennettsealed	John Meggisonsealed
Tobias Wellssealed	George Lamstensealed
Rob: Woodsealed	Anthony Calloway Sig: A .sealed
Charles Stonordsealed	John Mocomio Sig: G .sealed
Henry Carter Sig: H . . .sealed	Morgan Williams Sig: W sealed

Liber C D Cæcilius &c To our Dear Son Charles Calvert Cap.^t Generall & Chief Justice of our Said province of maryland Greeting Whereas we are Informed that in the Records and process as also in the Rendering of Judgem.^t and Granting Execution of a Certain Information by our writt depending before you & your fellow Justices of our provinciall Court of our Said province held at our City of S.^t maries the tenth day of ffebruary last past Between us & John Wells p^tt & Thomas Chandler & William Russell defendants who as well for us as for himself did prosecute there hath manifest Error
 p. 98
 (fol. 124) Intervened to the Great damage of the Said defend.^{ts} We willing that the Said Error (if any be) be in due manner Corrected and that full & Speedy Justice in that behalf be done to the Said defend.^{ts} We Command you that if any Judgem.^t be Given you do upon the nineteenth day of may next Comeing Send the Records & proceedings of the Said Information with all things relateing thereunto to us & our Council in the upper house of a Generall Assembly to be then held at our City of S.^t maries that our Court of Assembly may hear the S.^d Records & proceedings, And the Errors then and there to be assigned & alleadged and do therein as Shall be meet and have you there this Writt Wittness our Self at our City of S.^t maries the Eighteenth day of Aprill in the 42.th year of our Dominion over our Said province Annoq̄ Domini 1674

(fol. 125) Cæcilius &c To the Sheriff of Ann Arundell County Greeting because in the Records and proceedings as also in the Rendering of Judgem.^t and Granting Execution of a Certain Information within our Court before our Chief Justice and his fellow Justices of our provinciall Court held at our City of S.^t maries the tenth day of ffebruary last past between us & John Wells p.^{ts} and Thomas Chandler & William Russell defendants who as well for us as for himself did prosecute there hath manifest Errors Intervened to the Great damage of the Said Defendants as out of their Comp.^{ts} we have accepted the Records and proceedings of w.^{ch} Said Judgem.^{ts} thereupon before us lately for Certain Causes we have Caused to Come and We being willing that the Errors (if any be) Shall be in due manner Corrected and full & Speedy Justice to be done to the partys af.^d in this behalf We Command you that by honest & Lawfull men of your Ballywick you make known to the Said John Wells that he be before us and our Council in the upper house of a Gen.^{ll} Assembly on the nineteenth day of may next comeing to hear the said Error And further to do & Receive That w.^{ch} we & our Said Council in the upper house of the Said Gen.^{ll} Assembly Shall then Consider And have you there the names of them by whom you make this known unto them And that you from further taking arresting Imprisoning or them by that occasion any ways mollesting you altogether Superseede if them the Said defendants for that occasion & no other you

have taken from the prison in w.^{ch} they are detain'd if upon that occasion & no other they are detain'd without delay you Cause to be delivered peril thereon following Wittness our Self at our City of S.^t maries y^e Eighteenth day of aprill in y^e 42.th year of o.^r Dom.ⁿ ov.^r pvince of maryl.^d Annoq Dñ 1674 Liber C D

Cæcilius &c To our Dear Son Charles Calvert Cap.^t Generall & Chief Justice of our Said Province of maryland Greeting Whereas We are Informed that in the Records and process as also in the Rendering of Judgem.^t & Granting Execution of a Certain Information by our Writt depending before you & yo.^r fellow Justices of our provinciall Court of our Said province held at the City of S.^t maries the tenth day of ffebruary last past between us & John Wells p.^{ts} & Thomas Chandler & William Russell defendants who as well for us as for himself did prosecute there hath manifest Errors Intervened to the Great damage of the S.^d defend.^{ts} we willing that the Said Errors (if any be) be in due manner Corrected And that full & Speedy Justice in that behalf be done to the Said Defend.^{ts} We Command you that if any Judgm.^{ts} be Given you do upon the nineteenth day of may next Comeing Send the Record & proceedings of the S.^d Informacōn with all things Relateing thereunto to us & our Council in the upper house of a Generall Assembly to be then held at S.^t maries That our Court of Assembly may hear the Said Records & proceedings and that the Errors then and there to be assigned & alleadged & do therein as Shall be meet and have you there this writt Wittness o.^r Self at our City of S.^t marys the Eighteenth day of Aprill in the 42.th year of our Dominion over our S.^d province Annoq Dom 1674 p. 99
(fol. 125)

Cæcilius &c.^a To the Sheriff of Ann Arundell County Greeting because in the Records & proceedings as also in the Rendering of Judgem.^t and Granting Execution of a Certain Information which in our Court before our Chief Justice & his fellow Justices of our provinciall Court held at our City of S.^t maries the tenth day of ffebruary 1673 Last past Between us and John Wells p.^{ts} & Thomas Chandler and William Russell defend.^{ts} who as well for us as for himself did prosecute there hath manifest Erro.^{rs} Intervened to the Great damage of the Said defend.^{ts} as out of their Comp.^{it} we have accepted the Records and process of w.^{ch} Said Judgem.^t thereupon before us lately for Certain Causes We have Caused to Come. And we being willing that the Erro.^{rs} (if any be) Shall be in due manner Corrected, And full and Speedy Justice to be done to the parties afores.^d in this behalf, We Command you that by honest and Lawfull men of your Bailywick you make known to the Said John Wells that he be before us & our Councell in the upper house of a Generall Assembly on the nineteenth day of may next Comeing to hear the S.^d Erro.^{rs} And further to do and Receive that w.^{ch} we and our (fol. 126)

Liber C D Councill in the upper house of the Generall Assembly Shall then Consider and have you there the names of them by whom you make this known unto them, And that you from further takeing arresting Imprisoning or them by that occasion any ways mollesting you altogether Supersede and if them the Said defendants for that occasion and no other you have taken from the prison in w.^{ch} they are detained if upon that occasion & no other they are detained without delay you Cause to be delivered upon perill thereon following Wittness our Self at our City of S.^t marys the Eighteenth day of Aprill in the 42.th year of our Dominion over our province of maryland Annoq̃ Domini 1674

p. 100
(fol. 126) Cæcilius &^c To the Justices of our provinciall Court of our Said province of maryland Greeting because in the Records and process as also in the Rendering of Judgm.^t & Granting of Scire facias thereupon before you in our Said Court against John Bally at the Suit of Raymond Staplefort in a plea of Debt manifest Error hath happened to the Great damage of the Said John Balley as by the Great Complaint of the Said John Balley We have received we willing that the Error (if any be) Should in due manner be Corrected & full & Speedy Justice to be done to the S.^d parties in this behalf. We Command you that if Judgem.^t thereof be Rendered then the Record & process of the Judgem.^t & Scire facias af.^d w.th all things touching and concerning the Same to us in our upper house of Assembly at our City of S.^t maries on the first day of our Said Assembly being the 26th day of may next under your hands and Seales distinctly and openly you Send that Inspection being had of the Records and proceedings therein we may Cause further to be done what of Right and according to the Laws & Constitutions of this our province ought to be done therein and that you Cause the S.^d Raymond Staplefort to be Summoned to be then & there to hear the Same & also that you have there this Writt. Wittness our Self at our City of S.^t maries the Sixteenth day of may in the 42.th year of our Dominion over our Said province Annoq̃ Dñi 1674

Cæcilius &^c To the Sheriff of Dorchester County Greeting because in the Record and process as also in the Rendering of Judgem.^t & Granting of Scire facias & Execution thereupon before our Justices of our provinciall Court ag.st John Balley at the Suit of Raymond Stapleford in a plea of debt manifest Error hath happened to the Grieveous damage of him the Said John as out of his Complaint we have accepted the Record & process of which Said Judgm.^t thereupon before us in our upper house of Assembly at our City of S.^t maries the 26.th day of this Instant may for Certain Causes we have Caused to Come and we being willing the Errors (if any be) Should in due manner be Corrected & full & Speedy

Justice to be done to the Said parties in this behalf we Command you that by honest & Lawfull men of your Bailywick you make known to the Said Raymond that he be before us at the day and place afores.^d in our Sd upper house of Assembly to hear the Record afores.^d if to him it Shall Seem Expedient & further to Stand to & abide what o.^r s.^d upper house of Assembly Shall Consider of in that behalf have you there this Writt, Wittness our Self at our City of S^t marys the Sixteenth day of may in the 42.th year of our Dominion over our Said province Annoq̄ Domini 1674

Liber C D

Writt of upper house of Assembly issued to Nathan.^h Utye Esq.^r to be & psonally appear in the upper house of Assembly the 19.th may Instant (sic ut est fol 427) dated 19.th may in the 42.th year &c Annoq̄ Domini 1674

The like writt issued to Thomas Taillor Esq.^r

The like writt issued to Jesse Wharton Esq̄

Cæcilus &c To Augustine Herman & Abraham Wild of Cæcil County Gent Greeting We Command you by the oaths of Good & Lawfull men of your County by whom the truth of the matter may the better be known and Inquired of that you diligently Enquire whether Roger Roberts late of your County deēd was Seized in his Demeasne as of ffee at the time of his Death of a Certain pcell of Land Containing five hundred acres Lying in Back Creek behind Bohemia of what manno.^r &c.^a p ut fol 441 dated 6.th June 42.th year &c^a Annoq̄ Domini 1674

(fol. 127)

p. 101
(fol. 127)

Dedimus potest to William Burges & Robert Burle of Ann arundell County Gent ut est mutatis mutandis fol 433 dated the 5.th day of June 1674

Idem to Thomas Brooke & Thomas Sprigg of Calvert County Gent

Idem to Daniell Clarke & Robert Winsmore of Dorchest.^r County Gent

Idem to Thomas Howell & Joseph Wicks of Cæcil County Gent

Idem to George Mee & Samuell Boston of Baltemore County Gent

June 6.th 1674

Commission for Sheriff of Baltemore County then iss.^d to Sam^h Boston Gent with writt of assistance & discharge to Tho.^s Carleton late high Sheriff of the Same Co.^{ty} ut est mutatis mutandis fol 67

Liber C D June 6.th 1674

Commission for Sheriff of Cæcil County then iss.^d to Nathan.^{ll} Stiles Gent with writt of assistance ut est mutatis mutandis fol 67

June 16.th 1674

Mandamus then issued to Coll.^o William Calvert of S.^t maries Co.^{ty} Esq.^r to Enquire what Lands or Tenem.^{ts} Simon Oversee late of the Said County dyed Seized of in his Demeasne as of ffee within the S.^d County &c ut est mutatis mutandis fol 91

To his Excellency the Cap.^t Gen.^{ll} & the Rest of his Ldp Hon.^{ble} Councill The Humble petition of Richard Hill

That one Bartholomew Glevin deēd was in his Life time seized of a parcell of Land Called Crany neck in Ann Arundell County Containing 200 acres by assignm.^t from Jacob Brerington the assignee of Thomas Howell the patentee & the S.^d Bartholomew being So Seized about 7 years Since dyed without any issue of his Body Lawfully begotten or other heir not haveing made any disposition of the Said Land in his Life time by means whereof & for that no rent hath been since his Death paid to his Lpp your petition.^r is advised the s.^d Land is become Escheated to his Lordship

That the Said Land Lyeth next adjoyning to the Land y.^r peticon.^r now lives upon yo.^r pet.^r humbly prays your hon.^{rs} would be pleased to Grant unto yo.^r pet.^r a writt of mandamus or Inquiry post mortem of Glevin & if the Said Land Shall be Escheated that yo.^r petition.^r may have the preemption of the S.^d Land & yo.^r petition.^r Shall pray
may 20.th 1674
Granted—Charles Calvert

Mandamus then issued to George Puddington & Robert ffranckin of Ann Arundell Co.^{ty} Gent Commanding them that by the Oaths of twelve &c diligently to Enquire of & upon the premisses ut est mutatis mutandis fol 441

Commission of Sheriff of S.^t maries Co.^{ty} iss.^d to Luke Gardner Gent for one year to be Computed from the date thereof & after untill another Sheriff be appointed dated 29.th June 43 year &c 1674 under the Lesser Seale p the Governo.^{rs} order to John Blomfield

Bond 20000.^l Tob.^o Garrett Vansweringen his Security

(fol. 128) July 2.^d 1674 Dedimus potestatem then iss.^d to Cap.^t Tho.^s Howell & Augustine Harman of Cæcil Co.^{ty} Gent ut est mutatis mutandis fol: 433

Eodem die The Like writt iss.^d to Tho.^s South & Joseph Weeks of Kent County Gent

Cæcilius &c To our Dearly beloved Son Charles Calvert Esq^r our Chief Justice of our provinciall Court of our Said province of Maryland Greeting Whereas Pope Alvey late of S.^t maries County in our Said province planter for Stealing a Cow of the Goods & Chattells of Coll.^o William Evans lately before you and your associates Justices of our Said Court by the Verdict of a Jury upon which he put himself was found Guilty of the felony aforesaid & of the Same remains Convicted as we have accepted & for that the S.^d Pope for the Same hath humbly besought our mercy & we being willing of the Case upon Record & the proofs thereupon to be fully Satisfied We Comand you that if it be So then the Record & process afores.^d with all things touching the Same to us in our Chan.^{ry} under your Seale distinctly & openly without delay you Send & this writt Wittness our Self at our City of S.^t maries the 29.th day of June in the 43.th year &c Annoq^{ue} Dñi 1674 [see p. 121]

Liber C D
p. 102
(fol. 128)

July p.^o 1674 Subp: ad respondend: Vers: Richard Perry & mary Bateman daughter of John Bateman late deçed ad Sect Henry Scarborough ret 29.th July next

Maryland ss. Whereas I am Commanded by his Lordship's the Lord prop.^{rys} writt of mandamus to me directed under the Great Seale of this province bearing date the Sixteenth day of this Instant month of June that by the oaths of twelve Good & Lawfull men of my County by whom the truth of the matter be Enquired of diligently to Enquire what Lands & Tenem.^{ts} Simon Oversee Late of the Same County of S.^t maries dyed Seized of in his Demeasne as of fee within the Said Co.^{ty} at the time of his Death & of what manno.^r holden & by what Services & by how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the Said Simon OverSee dyed & who is his next heir & of what age the Said heir is & who those Lands & Tenem.^{ts} from the time of the Death of the S.^d Symon Oversee hath & doth Occupy & the issues & profits thereof hath or doth Receive & by what title & how & in what manner

These are therefore to will & Require you that you Cite & Summon twelve Good & Lawfull men of your Bailywick that they be & appear before me at the City of S.^t mary's upon Saturday next by ten of the Clock in the forenoon being the Twentieth day of this Instant month of June then & there to Enquire of & in the premisses And for So doing this Shall be your warrant Given under my hand this 17.th day of June in the 42.th year of his Ldps Dominion Annoq^{ue} Dni 1674.
To the Sheriff of S.^t marys County Will Calvert
or his Deputy

On the Back Side of the foregoing warr.^t was thus written
By virtue of this precept I have Summoned Twelve men of my

Liber C D Bailywick to appear this 20.th day of June before the Hon.^{ble} William Calvert Esq as by this precept I am Commanded

Garrett Vansweringen	Robert Ridgly
Richard Moy	Charles Delaroach
Daniell Clocker	John Bally
Walter Hall	William Harper
John Quigley	John Askins
Thomas Hatton	George Charlesworth

p me Luke Gardner Sheriff

(fol. 129) An Inquisition Indented taken at the City of S.^t maries in the province of maryland the Twentieth day of June in the 43.th year of the Dominion of Cæcilius &^a Anno^o Domini 1674 Before Coll.^o p. 103
(fol. 129) William Calvert Esq by virtue of a mandamus to him directed to this Inquisition annexed to Enquire what Lands or Tenements Simon Oversee late of S.^t mary's County deceased dyed Seized of in his Demeasne as of fee within the Said County & of what mano.^r holden and of what Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues & what time the Said Simon Oversee Dyed & who is his next heir & of what age the Said heir is & whose those Lands & Tenem.^{ts} from the time of the Death of the Said Symon hath or doth Occupy & the issues & profits thereof hath or doth receive & by what Title and how & in what manner By the Oaths of Garrett Vansweringen, Richard moy, Daniell Clocker Sen.^r Walter Hall, John Quigley, Thomas Hatton, Robert Ridgely, Charles Delaroach, John Balley, W.^m Harper, Jn^o Askins & George Charlesworth w.^{ch} Said Jurors upon their Oaths Say, That the Said Simon Oversee was Seized in his Demeasne as of ffee within the County of S.^t maries at the time of his Death of Two hundred acres of Land Called S.^t John's ffreehold holden of his Ldp's mann.^r of S.^t marys in free & Common Soccage by ffalty only for all Services & that the s.^d Land was of the value of 4 /^s by the year in all issues And that the Said Symon was Seized also in his Demeasne as of ffee within the Said County at the time of his Death of 800 acres of Land more adjoining to the Said ffreehold without any name but how holden or by what Services or of what value by the year in all issues the Said Jurors Cannot find because the Records to w.^{ch} they have had Recourse do not make the Same appear And the S.^d Jurors further Say that the Said Simon was Seized in his Demeasne as of ffee at the time of his Death of 700 acres of Land Called Hebden's-hole holden of his Lpps manno.^r of S.^t George's in free & Common Soccage by fealty only for all Services and the Said Land was of the Value of 14 /^s by the year in all issues and the S.^d Jurors further find that the Said Simon Oversee Dyed in the Beginning of february 1659 And the S.^d Jurors do further find no heir that the said Simon Oversee had at the time of his decease And the S.^d Jurors do further find that the S.^d Land Called S.^t John's ffreehold

Liber C D

& the Eight hundred acres adjoyning thereunto was Occupied & possessed by Elizabeth widow of the S.^d Symon for one year after the Death of the s^d Symon and Since that the S^d Land hath been in the possession of his Excellency Charles Calvert in the Right of the R.^t Hon.^{ble} the Lord prop.^{ty} to whom the Same was & is Escheated for want of heirs of him the S.^d Simon And y.^e S.^d Juro.^{rs} do further find that the S^d Land Call.^d Hebden's hole Containd 700 acres was Occupied & possessed by W.^m Harper to this day by virtue of a Lease from the R.^t Hon.^{ble} the Ld prop.^{ty} & that the issues & p^{ro}fits of all the pcells of Land aforementioned have been rec^{ed} by & paid to the S.^d Lord proprietary In Testimony whereof as well the S.^d William Calvert Esq.^r as the Juro.^{rs} afores.^d have hereunto Sett their hands & Seals the day and year first above written

W.^m Calvert (sealed)

G: Vansweringensealed	Tho: Hattonsealed
John Quigleysealed	Char Delaroachsealed
Richard Moysealed	John Balleysealed
his mark	W. ^m Harpersealed
Dan ^{ll} D C Clockersealed	his mark
Walter Hallsealed	John A Askinsealed
Robert Ridgelysealed	Geo: Charlesworthsealed

On the Back Side of a Certiorari Inter. fol 102 was thus written p. 104
By virtue of this writt I herewith Send the Record & process of the (fol. 130)
Indictm.^t arraignm.^t & Conviction of the within named Pope Alvey *
& all things touching the Same together with this writt as I am
Commanded [see p. 119.] Charles Calvert

At a Provincially Court held at S.^t maries on the 5.th day of July
Anno 1664.

Present	Charles Calvert Esq. ^r	{	m. ^r Baker Brooke	} Councillors
	Governo ^r		m. ^r Jerome White	
	Phillip Calvert Esq. ^r		Coll. ^o W. ^m Evans	
	Chancello ^r			

Summons issued to the Sheriff of S.^t marys County to Impannell
a Grand Jury

Sheriff returns his writt and Warras for the Grand Jury.

m.^r Thomas Notley

foreman	ffrancis Jackson	Thomas Wynn
Mathew Stone	Richard Bancks	Richard Collett
ffrancis Pope	Randall Hanson	Abraham Watson
Joseph Harrison	Justinian Gerrard	George Beckwith
John Nevill	Benjamin Rozer	Hugh Standley
William Price	All Sworn.	

* [For trial of Pope Alvey before the Provincial Court see also *Archives of Maryland*, vol. XLIX.]

Liber C D

Then m.^r Attorney Generall prefers this Indictm.^t to the Board Let it be Enquired for the Right Hon.^{ble} the Lord Prop.^{ty} if Pope Alvey in Britton's Bay in the County of S.^t mary's Cooper the Twenty ninth day of ffebruary in the year of our Lord God one thousand Six hund.^d Sixty three at S.^t Winifreds in S.^t Clements hundred in the County afores^d upon Alice Sanford Servant to the Said Pope Alvey by force & arms an assault did make & with Certain Sticks of no value w.^{ch} he the s.^d Pope Alvey in his Right hand then & there did hold divers blows on the body of the Said Alice Sandford did Strike So that of the Said blows the s.^d Alice Sandford did dye within half an hour's Space, And So if the S.^d Pope Alvey the Said Alice Sandford then & there feloniously did kill Contrary to the peace of his Said Lopp his rule & Dignity

William Calvert

John Bissick

Charles Alexander

John Bissick Examined Saith

Being asked was you with Pope Alvey in the Woods, Answered yes Doe you know how big the Stick was he Struck her? Yes it was a Stick Less than his Little finger by a Great matter being asked whether the Homany that Pope Alvey put into Alice Sandford's mouth was hott or Cold he Said Cold.

The Jurors Going out by themselves to Consider of the Indictm.^t & the Evidence & their Verdict the Jurors Came into Court Answering all to their names the foreman Gave in their Verdict Endorsed on y.^e Bill viz^t Billa Vera

The prisoner being Called to the Barr the presentm.^t was read to w.^{ch} the prison.^r pleads not Guilty Craves to be tryed by God and his Country

The presentment as followeth

(fol. 131) The Jury for the Right Hon.^{ble} the Lord Prop.^{ty} do present Pope Alvey in Britton's Bay in the County of S.^t maries Cooper y.^e Twenty ninth day of ffebruary in the year of our Lord God 1663 at S.^t Winifred's in S.^t Clements hundred in the Co^{ty} af.^d upon Alice Sandford Serv.^t to the S.^d Pope Alvey by force & Armes an Assault did make & with Certain Sticks of no value w.^{ch} he the s.^d Pope Alvey in his Right hand then & there did hold divers blows on the body of the s.^d Alice Sandford did Strike So that of the Said blows the S.^d Alice Sandford did dye within half an hour's Space And so that the s.^d Alice Sandford then & there feloniously did kill Contrary to the peace of his S.^d Lopp his Rule & Dignity

The Grand Jury discharged and the petty Jury Called Viz.^tm.^r Richard Smith

foreman

Joseph Harsley

W.^m Dorrington

Francis Armstrong

Robert Blinkhouse

William Groome

Thomas Bennett

William Hatton

William Watts

Robert Jones

William Black

William Harper

The Presentment was again Read to the s^d Jurors & the Evidence Liber C D
Called Examined & Sworn as afore

The Jurors withdrew to Consider of the Said Bill and their
Charge The Jurors being Called and answering all of them to their p. 105
Call by their Severall names foreman delivered in their Verdict (fol. 131)
Endorsed on the back side of the Said Bill with this word (viz.^t)
Guilty

Pope Alvey Called by his name to the Barr

Pope Alvey first demanded of him what he had to Say for himself
to which he Craves benefit of Clergy w.^{ch} was Granted him & the
Books being Given and demanded whether he read, answer was made
that he Read

Ordered thereupon that the Said Pope Alvey be forthwith burnt
in the brawn of his Right hand with a Red hot Iron

Which was by the Undersheriff Immediately Executed

At a Provinciaall Court held at S.^t maries the 3.^d day of Jan.^{ry} 1665/6
Present

Charles Calvert Esq Governour	}	m. ^r Tho. ^s Truman	}	Councillo. ^{rs}
Phillip Calvert Esq Chancellor		m. ^r Baker Brooke		
		Coll. ^o W. ^m Evans		

The Sheriffs dep.^{ty} or Cryer after O yes makes this Proclamacōn
following All Justices of peace Coroners Stewarts of Leets & Lib-
ertys & other officers that have taken any Inquisitions, Indictm.^{ts} or
Recognizances whereby you have let any any man to be bayle put in
your Records thereof forthwith that his Lordship's Councell may
proceed

Whereupon William Calvert Esq his Lordship's Attorney Gen-
eral prefers this Indictment following viz.^t

Let it be Enquired for the Right Hon.^{ble} the Lord Prop.^{ty} whether (fol. 132)
Pope Alvey of New Town Hundred in the County of S.^t maries
Cooper the nineteenth day of December in the year one thousand Six
hundred Sixty five at Bretton's bay in New Town hundred in the
Co.^{ty} afores.^d a Certain Cow of black Colour to the value of two
pounds ten Shillings Sterling of the Goods & Chattells of Coll.^o
William Evans then & there being found feloniously took Stoled
killed & Carried away against the peace of the Said Lord proprietary
his Rules and Dignity

Then the Cryer made proclamation again Saying

You Good men that be Impannelled to Enquire for the Right
Hon.^{ble} the Lord proprietary for the body of this province answer to
your names Every man at the first Call upon pain & peril that Shall
fall thereon

Liber C D Then the Grand Jury was Called by their names who appeared and Answered thereunto who are as followeth

Abraham Rouse	Robert Cager	John Bayley
foreman	W. ^m Harper	John ffoxall
Edw. ^d Richardson	Richard ffoster	W. ^m Cole
Phillip Holleger	Dimetrius Cartwright	James Lewis
John Standsby	George marshall	John Wayhop
Patrick fforrest	W. ^m Osbeyston	

The foreman then Laid his hand on the Bible and Oath given him viz.^t You as foreman of this Inquest for the body of this province you shall diligently Enquire & true presentm.^t make of all Such matters and things as Shall be Given you in Charge his Lpps Councel yo^r fellows & yo.^r own you Shall keep Secret you shall present no man for envy hatred or malice neither Shall you leave any man unpresented for love favour or affection or hope of Reward but you Shall present things truely as they come to your knowledge according to the best of your understanding So help you God

The Rest of the Grand Jury were Sworn by this Oath as followeth The Same Oath w.^{ch} your foreman hath taken on his part you & Every of you on yo.^r behalfs Shall well & truly observe & keep So help you God

The Cryer then make this proclamation and Saith his Lpps Councell Streightly Charge & Command all persons to keep Silent while y^e Charge is in giving to the Grand Jury upon pain of imprisonment

Then was delivered them the aforegoing Indictm.^t w.th Oaths of the Evidence, which Said oaths are as followeth.

Whereas Pope Alvey of Brittons Bay Cooper being apprehended by the Constable for feloniously killing & Stealing of Cattle & being brought before me John Jarbo one of his Lordships Justices of the peace of the County of S.^t maries this 25.th day of Decemb.^r 1665 the Said Alvey upon his Examination Said that he had killed a beast & did Suppose it to be Coll^o W.^m Evans's for it was marked a hole in one Ear & Cropt & Slit in the other & did desire leave to go to Coll^o Evans to make his Composition for it.

Taken before me John Jarbo

James Pattison Constable of New Town hundred declareth that upon the 24.th day of this Instant he the Said Constable being Caused by the information of Walter Pake to Search the house of Pope Alvey of Britton's bay Cooper for meats w.^{ch} the Said Pake pretended to have lost and when he the Said Constable came to the Said Alveys house he Asked the Said Alvey for the meate w.^{ch} the Said Alvey denied and Said he had no Such meat in the house & in Searching the Said Alveys house he the S.^d Constable Sayth that he found fresh Beefe newly killed and the hide of a beast hidden

under Corn husks in the hen house without Ears & the Constable Saith that he asked the Said Alvey where he had that meat & hide and the Said Alvey Answered that the owner of the Said beast bid him kill it & the Constable Saith that he found young meat Salted & a drying upon Tobacco Sticks upon the Loft & the S.^d Alvey Saith that he bought a quarter of Beeffe of w.^m Wood and that was it, but that the Constable Saith there was part of a fore quarter & a hinder quarter

Liber C D

made before me this 28.th of Decemb.^r 1665.

John Jarbo.

Henry Aspinall Sworn & Examined Saith that upon the 25.th of this Instant this Deponent's father in Law Walter Pake hollowed for this Deponent to Come Over the Creek to him, the s.^d Pake told this Depon.^t when he came to him that he Supposed Pope Alvey had killed a beast of this Depon.^{ts} upon w.^{ch} this Deponent went to the house of the Said Alvey and that the Said Alvey asked this Depon.^t whether or no he had bought Coll.^o W.^m Evans's heifer & this Depon.^t Answered what was it to him And the s.^d Alvey Said he had killed a beast and if it were this Deponents if he would put it up & make no more words of it he would pay him for three for it and further Saith not

Sworn this 28.th day of December 1665 before me

John Jarbo

Daniell Hamond aged 17 years or thereabouts Sworn & Examined Saith that upon Tuesday the 19.th of this Instant month Pope Alvey this Deponent's father in Law went out at night with an axe & by & by Came in again & told this Depon.^{ts} mother he done his busieness for he had Cut off a beasts Legg in the hen house, but She was eating husks like mad & the S.^d Alvey went out again w.th an Axe & knockt the S.^d beast on the head & after Supper when the Servant was a bed the Said Alvey asked this depon.^t to go with him & help him to dress it And this Deponents mother did hold the Candle & the next day the Said Alvey did Cutt out the meat & Carried it into the house & the hyde the Saturday following the Said Alvey put under the husks in the hen house and to the best of this Depon.^{ts} Judgement the marke of the beast was one Ear whole & a hole in it & the other Cropt & Slitt but w.^{ch} this Depon.^t knoweth not

Sworn before me this 28.th December 1665.

John Jarbo

The Charge being Given to the Grand Jury proclamation was then made by the Cryer, all manner of persons that have any Bills of Indictm^t to put into the Grand Inquest put them into the Court first that his Lpps Councils may peruse them or else they Shall not be received

p. 107
(fol. 134)

Liber C D No person putting any in after a while the Jury returns into Co.^{rt} & deliv^d in this Bill following & that they were Content the Co.^{rt} Should amend form & false Latin altering matter of no Substance in the s^d Bill they found

The Jury for the Right Hon.^{ble} the Lord Proprietary do present that Pope Alvey of New town hundred in the County of S.^t maries Cooper the 19.th day of December in the year 1665 at Brittons Bay in New town hundred in the County aforesaid a Certain Cow of black Collour to value of two pounds ten Shillings Sterling of the Goods and Chattells of Coll.^o William Evans then & there being found feloniously took Stoled killed & Carryed away against the peace of the Said Lord proprietary his Rules and Dignity

The said Bill by the Jury Endorsed
thus Billa Vera

Wittnesses	John Jarbo	Gregory Rowse
	James Pattison	Henry Aspinall
	Walter Pake	Daniell Hamond

The Grand Jury dismist

Then the Cryer maketh proclamation thus his Ldp's Council Streightly Charge and Command all persons to keep Silent for now the will proceed to the pleas of the Crown to the arraigm.^t of prisoners upon life and Death and that all persons that have any Evidence to give against the prisoner at the barr draw near and give your attendance upon forfeiting your Recognizances

The Clerke then bids the Sheriff to Sett pope Alvey to the Barr when done he Saith, thou art here Indicted by the name of Pope Alvey that thou on the 19.th day of December &c (Read the Indictm.^t out) then the Clerke Saith what Sayest thou, art thou Guilty of the felony whereof thou Stands Indicted or not Guilty? answered by the prison.^r not Guilty then being asked him by the Clerke how wilt thou be tryed prisoner Answered by God and the Country, the Clerk Saying God Send thee Good deliverance

Then the Clerke Called to the Sheriff for a pannel of Jurors to Try the prisoner pope Alvey

The Sheriff makes return of the names of those that are Impanelled upon the petty Jury viz.^t

Cap. ^t Thomas manning foreman	Thomas Hatton	Thomas Sprigg
John Gittings	John Smith	marmaduke Snow
Richard Stone	Justinian Gerrard	Daniell Clocker
David Jones	Thomas Innes	Peter Mills

Clerk Saith

Liber C D

You Good men that be Impannelled to Enquire between the Right Hon.^{ble} the Lord proprietary and the prisoner at the Barr answer to your names Every man at the first Call upon pain & peril that Shall fall thereon

Clerke

Pope Alvey hold up thy hand at the Barr, these Good men that were last Called and have here appeared are those that Shall pass between the Lord prop.^{ty} and you upon your Life and yo^r Death that therefore if you will Challenge them or any of them you may Challenge them as they Come to the Booke to be Sworn before they be Sworn and you Shall be heard (fol. 135)

The Cryer then makes Proclamation

If any man can inform his Lordships Councell the Attorney Generall of this Inquest to be taken between the Lord proprietary and the prisoner at the Barr of any Treason Murther felony or other misdemeanour Committed or done by the prisoner at the Barr Let then Come forth & they Shall be heard the prison.^r Stands at the barr upon his Deliverance. p. 108 (fol. 135)

No information Given

The Jury was then Sworn Every man Sev.^{ly} by this oath following You Shall well & truly try & true deliverance make between his Lpps the Lord prop.^{ty} and the prisoner at the Barr whom you Shall have in Charge according to yo.^r Evidence So help you God

The Clerke then Called them over, and the Sheriff Counted them being twelve Cle^rke askt are you all Sworn or not? they answered yes

The Clerke Called Pope Alvey. Pope Alvey hold up thy hand at the Barr And Saith Look upon the prisoner you that are Sworn & hearken to his Cause

You Shall understand that he Stand Indicted by the name of Pope Alvey for that he the 19.th day of December in the year 1665 (the Indictm.^t then Read out) upon this Indictm.^t he hath been arraigned and upon his arraigm.^t hath pleaded not Guilty & for his Tryall hath put himself upon God & the Country w.^{ch} Country are you So that your Charge is to Enquire whether he be Guilty of this felony whereof he stands Indicted or not Guilty if you find him Guilty you Shall Enquire what Lands & Tenem.^{ts} Goods and Chattels he had at the time of the felony Committed or at any time Sithence if you find him not Guilty then Shall you Enquire if he did fly for it or not if you find he did fly for it then you Shall Enquire what Goods or Chattels he had at the time when he did fly for it or any time Sithence if you find him not Guilty nor that he did fly for it Say So & no more and hear yo.^r Evidence

The Wittnesses were all Called to the Board and Sworn w.^{ch} are Expresst under the Indictm.^t and there Examined

Liber C D The Jury having their Charge Given they withdraw & Ordered the Sheriff provid them a Room without having meat or Drink untill they make return of their Verdict

The Jury of Life and Death being agreed they Come into Court to. Give their Verdict being Called by their names & all answered thereunto, was asked by the Clerke if they were agreed of their Verdict who answered Yes, who Shall Say for you? answ'd the foreman

Pope Alvey hold up thy hand at the Barr

Then Said to the Jury

Look upon the prisoner you that are Sworn what Say you is he Guilty of the felony whereof he Stands Indicted? or not Guilty

Who Delivered their Verdict in writing on the Back of the Indictm.^t thus (Guilty) & the Cow worth Eleven pence & no more

Whereupon they were again Commanded out to Consider thereof w.th Charge Given them to have a Speciall Care in what they did

(fol. 136) The Jury return into Court the Second time & askt if they were all agreed who answered yes

Then the foreman delivers in their Verdict on the Back Side of the Indictment thus (Guilty)

Then being askt what Land or Tenem.^{ts} Goods or Chattells had he at the time of the felony Comitted or any time Sithence they Ans.^d none to our knowledge, did he fly no (Clerke) hearken to yo.^r Verdict as the Court Recordeth it

You Say Pope Alvey is Guilty of the felony whereof he Stands Indicted Answer yes. And so you Say all Yes

The Petty Jury dismiss

p. 109
(fol. 136) Clerke Saith, Sheriff Set the prisoner to the Barr, Judge Speaketh you do Remember that you have been Indicted for felony by you done & Committed upon yo.^r Indictm.^t you have been arraigned & have pleaded not Guilty and for your Tryall have put your Self upon God and the Country w.^{ch} Country hath found you Guilty what Can you now Say for your Self why according to Law you Shall not have Judgm.^t to Suffer Death

Whereupon he Claims the benefit of his Clergy w.^{ch} was denied him the Record makeing it manifest that he have had it already allowed him in this Same Court. Then he throughs himself upon the mercy of the Board. The Judge then Read this Sentence to him and Gave Judgm.^t in these words following viz.^t

You Shall be Carried to the place from whence you Came from thence to the place of Execution & there be hanged by the neck till you are Dead.

Then Came Severall persons & upon their knees humbly beg of the Lieuten.^t Gen.^{ll} the life of the Said Pope Alvey & that he would please to Reverse the Judgm.^t

Through the Earnest Intercession of the Said persons the Governour.^f hath Given and Granted the Said Pope Alvey Respite of Execution and Liberty to depart to his own house Liber C D

Yet Nevertheless the Judgem.^t & Sentence past against him to Remain in full force & Effect on the Records dureing the pleasure of the Governour & according as the Said Alvey Shall hence forward behave himself in his Remaining Course of Life

Charles Calvert (sealed)

Crecilius &^a To all our Judges Justices and other officers and ministers within our Said province of maryland & all other psons to whom these presents Shall Come Greeting in our Lord God Everlasting Know ye that Whereas at a provinciall Court held at S.^t maries y.^e fifth day of July in the three & thirtieth year of our Dominion over our Said province Annoq̄ Domini 1664 Pope Alvey late of S.^t maries Co.^{ty} Cooper was Indicted arraigned & Convicted. (fol. 137)
for the feloniously killing of Alice Sandford his Servant & thereupon prayed the benefit of his Clergy w.^{ch} was by the Justices of our Said Court Granted unto him and the Said Pope as a Clerk did Read & was thereupon burned in the hand according to the form of the Statute in that Case provided & afterwards to wit at a provinciall Court held at S.^t maries the third day of Jan.^{ry} in y.^e four & thirtieth year of our Dominion over our Said province Annoq̄ Domini 1665 the Same Pope Alvey by the name of Pope Alvey of S.^t maries County Cooper was Indicted arraigned and Convicted for the Stealing of a Cow of the Goods & Chattells of Coll.^o William Evans & thereupon in like manner prayed the benefit of his Clergy w.^{ch} was denied unto him by our Said Justices according to the Law in that Case provided, he haveing once had the benefit thereof as appeared upon Record & thereupon the s.^d Pope being demanded by our Said Justices what he had to Say for himself why Judgm.^t of Death Should not be Given against him, Said nothing in barr thereof, whereupon Judgm.^t of Death against the Said Pope Alvey for the felony aforesaid by our Said Justices at the prov.^l Court af^d was awarded & we having hitherto Suspended the Execution of the Said Judgm.^t against the Said Pope. And the Dep.^{ty}s & Delegates of the freemen of our Said province in our Lower house of Assembly at a Generall Assembly begun & held at our City of S.^t maries on Tuesday the nineteenth day of may in the 42.th year of our Dominion over our Said province Annoq̄ Dñi 1674 and there Continued untill the Sixth day of June following haveing of us humbly Requested our free & Generall pardon to be Granted unto him the Said pope and being Willing as much as in us Lyeth to Grant the reasonable Request of our Said Lower house of Assembly have Pardoned Remitted, Released acquitted Indemnified and discharged And by these presents for us our heirs & Successors do pardon Remitt Release acquitt Indemnifie & discharge the S.^d Pope Alvey of the p. 110
(fol. 137)

Liber C D felonies aboves.^d and of & from all pains of Death other pains Judgm.^{ts} Indictm.^{ts} Convictions, Outlawries penalties Escheats & forfeitures by the Said Pope Alvey by reason thereof made or Suffered. And do hereby give and Grant unto the S.^d Pope Alvey our firm peace w.^{ch} to us belongs by reason of the felonies af.^d So that we will from hence forward that the S.^d Pope Alvey Stand Right in any of our Courts if any pson whatsoever Do him therein Implead, And We do hereby Restore the Said Pope Alvey unto the Liberty of the Law, In Wittness whereof we have Caused these our Letters to be made patents. Wittness our Self at our s.^d City of S.^t maries the 7.th day of July in the 43th year of o.^r Dominion over our Said province Annoq Domini 1674

Charles Calvert

July 17.th 1674

Commission for Sheriff of Dorchester County then iss.^d to Dan.^{ll} Clarke Gent w.th writt of assistance & discharge to Tho.^s Taylor late Sheriff of the Same County ut est mutatis mutandis fol 67

July 18.th 1674

Commission then issued to Clement Hill of S.^t marys Co.^{ty} Gent to be Sheriff of the Same Co.^{ty} w.th writt of assistance ut est fol 67

Aug.^t 7.th 1674

Attachm.^t iss.^d to the Sheriff of Calvert County ag.^t R.^d Perry & Mary Bateman daughter of John Bateman deēd because they have not Answered the Bill of Comp.^{lt} of Hen: Scarborough ret 29.th August next

(fol. 138) August 20.th 1674

Commiss.ⁿ under the Great Seale then issued to Henry Stockett to be Sheriff of Ann Arundell County w.th writt of Assistance ut est fol 67

Cæcilius &^c To all the Inhabitants of our Said Province of Maryland Greeting Whereas for Severall Weighty and Urgent occasions & affairs Relateing to our Self and the Estate and defence of our Said province We did hold a Generall Assembly at our City of S.^t maries the 27.th day of march 1671 which upon the 19.th of Aprill then next following for divers Considerations us thereunto moveing We did prorogue untill the 10.th day of October then next following and on the 19.th day of the Same October we did for Severall reasons prorogue the Same Assembly untill the 15th day of October next following w.^{ch} upon the 16.th day of Sept.^r then last past, We for Severall reasons us thereunto moveing did prorogue untill the Sixth day of may Anno 1673 And for that the Said 6.th day of may when

our Said Assembly Should Sit was then near at hand We did for
 divers Reasons us thereunto moving prorogue the Same untill the
 19.th day of may now last past And upon the 6.th day of June then
 next following We did prorogue the Same untill the 29.th day of
 September now next Comeing now for as much as the Said 29.th
 day of September is nigh at hand And for divers reasons us there-
 unto moving We have thought fit and do hereby declare & publish
 that the Same Generall Assembly Shall be & is hereby prorogued
 from the Said 29.th day of September untill the 13.th day of Aprill
 now next Comeing after the date whereof whereof as well o.^r Cap.^t
 Generall of our Said province as our members of our upp^r house
 of Assembly as also all the Deputies & Delegates of our Lower
 house of Assembly and all other the Inhabitants of our Said province
 of maryland whom it may concern are to take notice & to order
 their affairs accordingly And we do hereby Ord.^r & Command our
 Respective Sheriff of our Severall Countys that they upon Sight of
 this our proclamation do Immediately publish and proclaim the Same
 And Give the Respective deputies & Delegates of their Severall
 Counties particular notice of our will & pleasure therein Wittness
 our Self at our City of S.^t maries the 15th day of August in the
 43.th year of our Dominion &c.^a Anno^q Dñi mdcclxxiiii

Liber C D

Sept.^r the 8.th 1674

Comiss.^o under the Great Seale then issued to William Coursey
 Gent to be Sheriff of Talbot County w.th writt of assistance &
 discharge to Stephen Tully ut est fol. 67. [see pp. 77-8]

Septemb.^r y.^e 8.th 1674

Comiss.^o under the Great Seale then issued to Benjamin Rozer
 Gent to be Sheriff of Charles County with writts of assistance & dis-
 charge to John Allen ut est fol 67

Septemb.^r the 8.th 1674

Comiss.^o under the Great Seale then issued to Robert Dunn Gent
 to be Sheriff of Kent County with writt of assistance ut est fol 67

Septemb.^r the 9.th 1674

Comiss.^o under the Great Seale then issued to Henry Darnall
 Gent to be Sheriff of Calvert County with writt of assistance &
 writt of discharge to Christopher Rousby ut est fol 67.

Cæcilius &c.^a To the Sheriff of Ann Arundell County Greeting (fol. 139)
 Whereas in the Record Remaining in our Secretarys office it appears
 that we did by our Grant under our Great Seale of our Said province
 of Maryland bearing date the 8.th day of may 1666 Grant unto
 John Covill a parcell of Land Called Covills Lott Lying in the Co^{ty}

Liber C D af.^d on the South Side of South River Containing and laid out for 400^a more or less and Whereas also afterwards to witt the 15.th day of march in the year aforesaid Cap.^t William Burges of your County as we are Informed hath Surreptitiously obtained a Grant under the Great Seale of our Said province for the Same Land and premisses to him & his heirs for Ever and the Same Called Burges Choice We therefore Command you that you make known to the Said William Burges that he be & appear before us in our Court of Chancery to be holden at our City of S.^t maries the 13.th of October next to Shew Cause if any he have why the Said Grant of the Land afores.^d ought not to be vacated & adnulled & have you there this writt Wittness our Self &.^a August the 18.th in the 43.th year &c Annoꝝ Domini 1674

Attachm.^t with proclamacōn to the Sher of Calv.^t Co.^{ty} iss.^d ag.^t R.^d Perry & mary Bateman daughter of Jn^o Bateman deēd est mutatis mutandus fol dated the 1.st of Sept.^r 1674 ret the 19.th of the Same month

By the Court because they have not Answered the Bill of Comp^t of Henry Scarbrough

p. 112
(fol. 139)

In pursuance of a Commission bearing date the 2.^d day of July Anno. 1674 to me Thomas Howell & Augustine Herman directed we have this day being the 18 of August duely Observed & put in Execution (viz.^t) That I the Said Thomas Howell did Administer the Oath of a Commission.^r and Justice of the peace of Cæcil Co^{ty} unto Augustine Herman w.^{ch} being performed the Said Augustine Herman did in like manner Administer the Same Oath unto Cap.^t Thomas Howell and afterwards Wee the Said Thomas Howell & Augustine Herman did in like manner & form afores.^d Administ.^r the Same Oath unto John Vanhack, Abraham Wild Joseph Hopkins William Toulson, John Guilbert In Wittness whereof we have hereunto Set our hands and Seals this 18.th of August Anno 1674 at the Court house in Cæcil County in Maryland

Thomas Howell (sealed)

Augustin Herman (sealed)

We whose names are underwritten Cannot find that Roger Roberts was possessed with any land at the time of his Death & who is his next heir we Cannot tell & this is our Verdict Given under our hands & Seals this 18.th day of August Anno 1674

William Pearce (sealed)	Pet. ^r <i>PF</i> Johnson (sealed)
Will. ^m Salisbury (sealed)	William Pate (sealed)
John James (sealed)	Francis Bild (sealed)
John Cooke (sealed)	John Hiland (sealed)
Will. ^m Howard (sealed)	Rich. ^d <i>R</i> Leeke (sealed)
John <i>I</i> Gibbs (sealed)	Phill <i>PH</i> Holleger (sealed)

On the back Side of the foregoing Inquisition was thus written viz.^t This day being the 18.th of August 1674 according to a writt directed to us for the inquiry as by the Said Writt at Large appears the Jury Impannelled have Given their Verdict under their hands and Seals menõned on the other Side In the presence of us as Wittness our hands and Seales ut Supra

Liber C D
(fol. 140)

Augustine Herman (sealed)

Abraham Wild (sealed)

Oct. 10.th 1674

Richard Hatton & Ann his wife Subp: ad respondendum Ver: Thomas Dent William Hatton, George Mecall & Daniell Clarke Sen.^r ret the 13.th Oct.^r next penalty 100.^l Sterl each pson

Subp: W.^m Coursey to Testify for W.^m Gwither Comp.^{lt} ag.^t Thomas Mathews def.^t dated 22.th Octob.^r 1674

Maryland ss.

These are to Authorize & Require you that Immediately upon the Receipt hereof to Call together four or more of the Comission^{rs} of your County w.th the Clke who are hereby required to Sit as a Court & during their Sitting by virtue of your office to make or Cause to be make publick proclamation thereby Giving notice to all the ffreemen of the Said County who have within the Said County Visible Seated plantaçons of fifty acres of Land at Least or Visible personall Estates to the value of forty pounds Sterling at the least Requiring them to appear at the next County Court to be holden for yo^r Co.^{ty} at a Certain day in the month next following after Such proclamation made for the Electing & Chuseing of Deputies & Delegates to Serve for your County in a Generall Assembly to be holden at the City of S.^t maries the Second Tuesday in ffebruary next Ensueing the date hereof at which time of Proclamation afores.^d the S.^d ffreemen So Required to appear or the major part of Such of them as Shall then appear Shall & may & are hereby Authorized & Required to Elect and Chuse four Severall & Sufficient ffreemen of your County Each of them having a visible Seated plantation of fifty acres of at the least or a visible personall Estate of forty pounds Sterling at the least within your County and you Shall Give authority to Each of them Severally and Respectively by four Severall and Respective Indentures under their hands and Seales to be Dep^{ty}s and Delegates for your County and to appear and Serve as Deputies and delegates for your County at the Said next Generall Assembly in Case they Shall be thereunto Summoned by a particular Writt for that purpose to be directed to them from the Cap.^t Generall of this province for the time being and to do & Consent to those things w.^{ch}

p. 113
(fol. 140)

Liber C D then by the favour of God Shall there happen to be Ordained by
 (fol. 141) the Lord proprietary or his Cap.^t Generall with the advice & Consent
 of the Great Councill of this province concerning Such Occasions &
 affairs as Shall relate to the Governm.^t State and defence of this
 province to w.^{ch} Said Indentures Shall be between you the Sheriff
 of the one part & the Said ffreemen Electing on the other part &
 Shall bear date the Same date upon w.^{ch} the S.^d Election Shall be
 made & Shall mencon the time and place of Such Election & the
 persons So Elected and Shall be Signed & Sealed Each part of
 them as well by you the Sheriff as by the Said ffreemen by whom
 the Said Election Shall be made and that upon Such Election you
 the Sheriff So Soon as Conveniently may be Certife & Transmitt
 to the Chancello.^r of this province for the time being one part of
 the Said Sev.ⁿ Respective Indentures Close Sealed up under your
 hand and Seale and directed to the Cap.^t Generall of this province &
 also to the Said Chancello.^r and the other part of the Said Indentures
 you are to keep for yo.^r Justification Given under my hand and
 the Lesser Seale of this Province the 14.th day of Octob.^r in the 43.th
 year of the Dominion of Cæcilus &c.^a Annoq; Domini 1674
 To Nathan.ⁿ Stiles high Sheriff Charles Calvert
 of Cæcil County

Edodem die

The like Warrant then issued to Samuell Boston Sheriff of Balt.^e
 Co.^{ty}

Cæcilus &^a To all the Inhabitants of our Said province of mary-
 land Greeting Whereas for Severall Weighty and Urgent Occasions
 & affairs Relateing to our Self & the Estate & defence of our S.^d
 province We did hold a Gen.ⁿ Assembly at our City of S.^t maries
 the 27.th of march 1671 which upon the 19.th day of Aprill then next
 following for div.^{rs} Consideracons as thereunto moveing We did
 prorogue untill the tenth day of Oct.^r then next following & on the
 14.th day of the Same Octob.^r We did for Sev.ⁿ Occasions prorogue
 the Same Assembly untill the 15.th day of Oct^r next following w.^{ch}
 upon the 16.th day of Sept.^r then last past We for Severall Reasons us
 thereunto moveing did prorogue untill the Sixth day of may Anno
 1673 And for that the said 6.th day of may when our Assembly
 Should Sit was then near at hand We did for divers Reasons us
 thereunto moveing prorogue the Same untill the 19.th day of may
 now last past, And upon the Sixth day of June then next following
 We did prorogue the Same assembly untill the 29.th day of Sep-
 tember now next Comeing And Whereas We did the 15.th of August
 1674 think fitt declare and publish that the Same Generall Assembly
 Should be prorogued from the Said 29.th day of September untill
 (fol. 142) the 13.th day of Aprill then next Comeing We do hereby for Severall

p. 114
 (fol. 141)

Urgent Occasions Sithence Intervened Command our Severall Sheriffs of our Respective Counties that they do hereby publish & declare proclaim that we do purpose and Intend to hold the Same Assembly upon the Second Tuesday in february next Ensuing the date hereof And that the Sheriff of the County of S.^t maries Give notice hereof to the Deputies & delegates of the Same County Wittness our Self &c^a 14.th of October in the 43.th year of o^r Dominion &c^a Annoq Domini 1674

Liber C D

Eodem die The like writt issued then to the Respective Sheriffs of

Charles County

Calvert County

Ann Arundell Co^{ty}

Kent County

Talbot County

Somerset County

Dorchester County

Cæcilius &^a To the Sheriff of Calvert County Greeting Whereas you were lately Commanded by writt of Execution at our Court of Calv.^t Co.^{ty} bearing date the 17th day of August 1674 to take W.^m melton Administrator of John ffoster in Execution untill he hath made Satisfaction unto George Abbott as well the Sume of Six hundred pounds of Tobacco w.^{ch} was adjudged him for his damages in a Certain Suit Commenced by the Said George Abbot ag.^t the s.^d W.^m melton adm.^r of John ffoster as also the Sume of Seven hundred & thirty pounds of Tobacco for his Costs and Charge Expended in the Said Suit Yet because it Sufficently appears to us that our afores.^d Writ of Execution from our Court af.^d most unduly & Erroneously issued therefore We Command you that you altogether forbear from takinge of the Said William Melton or in any thing to mollest him by Occasion of the premisses And if him the Said William Melton upon that Occasion and not otherwise you have taken then him you permitt to go at Large, Wittness o.^r Self at o.^r City of S.^t maries y.^e 13.th day of Nov.^r in the 43.th year of o.^r Dominion ov.^r o.^r Said province of maryland Annoq Domini 1674

Cæcilius &^a To our Trusty and Well beloved Thomas Robert Burle & Thomas Beson of Ann Arundell County Gent Greeting because we are Informed that James Stringer late of your County deēd at the time of his Death was Seized in his Demeasne as in ffee of divers Lands & Tenem.^{ts} in yo.^r Said County w.^{ch} of Right ought to descend to mary Williams wife of Lodowick Williams & Daughter and heir of the S.^d James Stringer deēd & from her by undue means are kept away as is Said We do therefore hereby Require and Authorize you that by the Oaths of twelve Good and Lawfull men of your Said County by whom the truth of the matter may more fully appear You diligently Enquire what Lands & Tenements the Said James Stringer dyed Seized of within your Said County & whether the Said mary be his next heir & whether the Same were

Liber C D
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(fol. 143)

Surveyed in the life time of the Said James Stringer and the quantity of the Same & whether the Same may or Ought of Right to descend to the S^d heir or whether the Same are not Escheated unto us & who are the p^sent possessors of the Said Land & by what Title and the Inquisition thereof by you distinctly and openly made to us in our Chancery without delay you Send under your Seales and the Seales of them by whom the Said Inquisition Shall be made & this Writt Wittness our Self at our City of S.^t maries the 23.th day of August in the 43.th year of our Dominion ov.^r our S.^d province of maryland Annoq̄ Domini 1674

On the Back of the foregoing writt was thus written The Execution of this writt appeareth in a Certain Schedule hereunto Annexed

Robert Burle
Tho: Beson

An Inquisition Indented taken at m.^r Nicholas Gassoway's house in the County of Ann Arundell the 12.th day of November in the 43.th year of the Dominion of Cæcilius &c^a Annoq̄ Dñi 1674 before us Robert Burle & Tho.^s Besson by Virtue of a Co^mission in the nature of a writt of mandamus to us directed & to the Said Inquisition Annexed to Enquire what Lands & Tenements James Stringer late of Ann Arundell County de^ced dyed Seized of within the Said Co.^{ty} of Ann Arundell & whether Mary Williams wife of Lodowick Williams & Daughter of the Said James Stringer be his next heir & whether the Same were Surveyed in the life time of the S^d James Stringer & the quantity of the Same & whether the Same may or ought of Right to descend to the Said heir or whether the Same are not Escheated & who are the present possessors of the S.^d Land & by what Title by the Oaths of Doct.^r William Jones, W.^m Ramsey, Rob.^t Love, John Howard, Cornelius Howard, James Saunders, Rich.^d Cheney John ffooster, ffordinando Battee, Richard Tydings, Thomas Watkins John Grassum duly Sworn w.^{ch} Said Jurors upon their Oaths do Say as followeth viz.^t

1 It is our Judgm.^t that James Stringer dyed Seized of the Land now in dispute as the manner was then to hold Land as appears by the Inventory taken off the Record of the County & the Evidences

(fol. 144) 2 It is our Judgm.^t that mary Williams the wife of Lodowick Williams is the only heir of James Stringer there being no other Ever known or apparent

3 Evidence makes appear that the Lands held by James Stringer to Say the Land in dispute was not Surveyed till after the Death of the Said Stringer the q.^{ty} being one hund.^d & fifty acres

4 It is our Judgm.^t that mary Williams is the Right heir to the S^d one hund.^d & fifty acres of Land after the manner of holding of

Lands in those days within this province w.^{ch} was by Caveats Entered upon Record in y^e office Liber C D

5 It is our Judgm.^t that this land in dispute is not Escheat it being Orphans Land

6 The p^rsent possessor.^r of the s^d Land is Nathan.^{ll} Heathcoate Guardian to y^e Orphans of John Brewer of this Co.^{ty} de^ced by virtue of an assignm.^t Granted to Jn.^o Brewer By Jn.^o Collier upon the Back of a pattent Granted unto y.^e S.^d Jn.^o Collier after y.^e Decease of the S.^d Jn.^o Stringer

In Testimony whereof as well the S.^d Com.^{rs} as the Juro.^{rs} af.^d to this present Inquisition have Interchangeably Set their hands & Seal y.^e day & year abovemen^coned

Robert Burle sealed
Thomas Besson sealed

William Jonessealed	John ffostersealed
his	his
W. ^m 2 Ramseysealed	fferdin. ^{do} Battensealed
mark	mark
his	his
Rob. ^t RF Lovesealed	Ric R Tydingssealed
mark	mark
John Howardsealed	Thomas R Watkinssealed
Cor. ^s Howardsealed	marke
James Saunderssealed	John Gressnonsealed
his	
Rich. ^d ↗ Chenysealed	
mark	

Cæcilus &^c To our Trusty & Well beloved Henry Adams, Robert Henly of our County of Charles Co.^{ty} & Rob.^t Carville of our City of S.^t maries Gent Greeting We Command you or an two of you that by the Oaths of twelve Good & Lawfull men of our S.^d Co.^{ty} of Charles Co.^{ty} by whom the truth of the matter may the better be known & Enquired of that your or any two of you diligently Enquire what Lands Lieu.^t William Lewis late of Charles Co.^{ty} de^ced dyed Seized of at the time of his death as of fee in the S.^d Co.^{ty} of Charles County & of what manno.^r & under what Rents or Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the S.^d Lieu.^t Wiflm Lewis Dyed & who is his next heir & of what age the heir is & who these Lands & Tenem.^{ts} from the time of the Death of the Said Lieu.^t William Lewis have or do Occupy & the issues or profits hath or doth Receive and by what title & how & in what manner & who hath paid the Rent for the Same & to whom and the Inquisition thereof distinctly & openly made to us in our Chancery under your hands & Seals & the the hands &

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(fol. 144)

(fol. 145)

Liber C D Seals by whom it shall be made without delay you Send & this writt Wittness our Self at our City of S.^t marys this Eight and Twentieth day of October in the 43.th year of our Dominion &^a Annoꝝ Domini 1674

On the back Side of the aforegoing writt was thus written viz^t
The Execution of this writt appears by a Certain Inquisition here-
unto Annexed

Henry Adams
Robert Carvile

By virtue of a writt of mandamus to us Henry Adams Rob.^t Henly & Robert Carvile directed from the Right Hon.^{ble} the Lord prop.^{ty} of this province We Command you that you Cause twelve Good & Lawfull men of your Bailywick each of them having Estates of two pounds p year in your County & being of the neighbourhood to the Lands in question to Come before us or any two of us at the house of Bennett Massagay at Nangemy in your Said County upon ffriday the Sixth day of November next then & there diligently to Enquire what Lands Lieuten.^t W.^m Lewis late of yo.^r Said County deꝛed dyed Seized of at the time of his Death as of ffee in yo.^r Said Co.^{ty} of what manno.^r & under what Rents & Services & how much these Lands & Tenem.^{ts} are of value by the year in all issues & at what time the S.^d Lieuten.^t W.^m Lewis dyed & who is his next heir & of what age the heir is & who those Lands & Tenem.^{ts} from the time of the death of the Said Lieuten.^t Wiflm Lewis have or do Occupy & the issues or profits hath or doth receive & by what Title & how & in what manner & who hath paid the Rent for the Same & to whom & for yo.^r So doing this Shall be your warrant Given under our hand and Seals the one & thirtieth day of Octob.^r in the 43.th year of the Dominion of Cæcilius &c.^a Annoꝝ Domini 1674

To the high Sheriff of
Charles County

Henry Adams (sealed)
Robert Carvile (sealed)

Maryland ss :

These may Certifie that I have been Receiv.^r Gen.^{ll} for the Right Hon.^{ble} the Lord Proprietary these fourteen years and that no Rent for Rice mannor now known by the name of Lewis neck Cont.^a three thousand acres now Lying in Charles County has been paid to me or to any of my Deputies And I do further Certifie that upon Entring into this office there was two or three years Rent due as appeared to me upon the Rent Roll delivered into my hands thus much from the Roll in my Custody as his Lordship's Receiver Generall in this province Given under my hand this 11.th Septemb.^r 1674

scale

Charles Calvert





Charles County in the Said province upon ffryday the Sixth day of November in the three and fortieth year of y^e Domin.ⁿ of Cæcilius Absolute Lord & Proprietary of the Provinces of maryland and Avalon Lord Baron of Baltemore &c Annoq̃ Domini 1674 before us Henry Adams & Robert Carvile Gent by virtue of a writt of mandamus issued out of his Ldps high Court of Chancery to this Inquisition Annexed to us and to Robert Henly Gent or any two of us directed by the Oaths of Rob.^t Robins Owen Jones Kenelm Mackloghlin Ben.^t marchegay Alexand.^r Gallant Thomas Wytter Jn.^o Woodward John Bush William ffairecloth, Cornelius Mackernon, Thomas Craxon and Samuell Sherrell who upon their Oaths Say as followeth viz.^t

That William Lewis Comonly Called Lieu.^t W.^m Lewis of Charles Co.^{ty} was not to the knowledge of any the afores.^d Jurors in his life time or at the time of his Death Seized or in Actuell possession of any Lands or Tenem.^{ts} in the S.^d County of Charles Co.^{ty} but they Say that the Said William Lewis having Right to three thousand acres of Land in the Said province two thousand thereof by a Sp.ⁿ warrant from the Right Hon.^{ble} the Lord Proprieto^r & the other one thousand acres Residue of the Said three thousand acres by Severall assignm.^{ts} & other Rights to him due as appears to us by the Copy of the Records Extracted out of the Secretarys office to the Said Jurors now produced did about the Twentieth of August 1653 or 1654 procure a warr.^t for the Surveying of him the S.^d Lieuten.^t William Lewis in any part of the S.^d province three thousand acres of Land not formerly taken up or Reserved for his Lordship's use & accordingly Rob.^t Clarke Gent Survey.^r Generall did the Eight of September 1654 return his Certif.^t of Survey into the Said Secretaries office that he had laid out for the Said Lieuten.^t William Lewis a Tract of Land Called Rice manno.^r Lying on the North Side of Potomock River & on the South Side of a Creek Called Nangemy Creek now Avon River Containing three thousand acres be the Same more or Less w.^{ch} Said Land Called Rice manno.^r was & Still is Comonly Called by the name of Lewis Neck (fol. 147)

And the Said Jurors do further upon their Oaths Say that before the S.^d Lands were patented to wit in march 1655 the S.^d Lieu.^t W.^m Lewis dyed and that after his Death the s.^d three thousand acres of Land was by ord.^r of the then Prov.th Co.^{ty} in the year 1659 by Grant under the privy Seale of this province Leased to Edward Prescot merchant for Satisfaction of a Debt of fourteen thousand three hundred fifty and five pounds Tob.^o due to the S.^d Prescot and other the Creditors of the Said Lieu.^t William Lewis for the Terme of ninety and nine years under the Rent of three pounds Sterling p̃ Annum, But the S.^d Jurors further upon their Oaths Say that the Said Edward Prescott nor any for him to the knowledge

Liber C D of the Said Jurors did ever Enter into possession of the Said three thousand acres of Land or any part thereof nor was the Same Ever Seated or any Rent paid for the Same to his Lordship's Receiver Since the time of making the Said Lease to Prescott And they are the rather Induced to believe the Same by reason his Excellency the Cap^t Gen.^{ll} hath under his hand & Seale at Armes Certified that no Rent hath been paid for the Same for these fourteen years last past as by the Same Certif.^t bearing date the 11.th Sept.^r 1674 now produced and hereunto Annexed may appear as also by the Testimony of m.^r Benjamin Rozer now high Sheriff of Charles County who hath been Sheriff of the Said County for Seven years & in all that time never Received or was tendered any Rent for the Said Land Called Rice Mannor or Lewis Neck

And they further Say that the Said Lieuten.^t Lewis dyed without any heir that they know of and that it appears by the S^d Lease to Prescott the Said Rice Mannor was thereby to be held of the mannor of West S.^t maries & that the Said three thousand acres of Land is worth no more than the Rent Reserved to his L^{ds} without further improvem.^t of the Same

Robert Robinssealed	W. ^m Hawchaughsealed
Owen Jonessealed	Cornel Mackernumsealed
the m ^{rk} of Kenelm	his + mark
mcloghlin sealed	Hen: Adamssealed
B marchemaysealed	Rob. ^t Carvilesealed
Alex: Gallantsealed	the mark of
Thomas Wittersealed	Tho  Cracksonsealed
the mark of Jn ^o	the mark of
Woodward sealed	Sam:  Sherellsealed
John Bushsealed	

(fol. 148) Cæcilius &^a To Robert Carvile and Richard Ladd Gent Greeting We Command you that by the Oaths of twelve Good & Lawfull men of the County of Calvert by whom the truth of the matter may the better be known and Enquired of that you diligently Enquire what Lands Leonard Strong Late of Ann Arundell County deēd dyed Seized of at the time of his Death as of ffee in the Said County of Calvert & of what manno.^r and of what Service & how much those Lands or Tenements are of value by the year in all issues and at what time the Said Leonard Strong dyed & who is his next heir and of what age the heir is and who those Lands or Tenem.^{ts} from the time of the Death of the Said Leonard Strong have or do occupy & the issues & p^{fts} hath or doth Receive & by what Title & how & in what manner & the Inquisition thereof distinctly & openly made upon the first Tuesday in October next Ensuing the date hereof to us in our Chancery under your hands and Seals and the hands and Seals by whom it Shall be made without Delay you Send and

this writt Wittness our Self at our City of S.^t maries the 28.th day of October in the 43.th year of our Dominion &c^a Annoq Domini 1674 Liber C D

On the Backside of the aforegoing writt was thus written Viz.^t

The Execution of this Commission appears by a Certain Schedule hereunto Annexed

Robert Carville
Ric. Ladd

By virtue of a writt of Mandamus issued out of the high Court of Chancery to us Robert Carville and Richard Ladd directed We Command you that you Cause to Come twelve Good & Lawfull men of your Bailiwick Each of them having forty Shill.^s a year before us at the house of John Hanse on ffryday the Twentieth day of November next by whom the truth of the matter may be the better known and Enquired of Diligently to Enquire what Lands Leonard Strong late of Ann Arundell County deēd Dyed Seized of at the time of his Death as of ffee in the County of Calvert & of what mannor and of what Services and how much those Lands or Tenem.^{ts} are of value by the year in all issues and at what time the Said Leonard Strong dyed & who is his next heir & of what age the heir is & who those Lands or Tenem.^{ts} from the time of the Death of the Said Leonard Strong have or do Occupy and the issues and profits hath and doth Receive & by what title and how and in what manner and for your So doing this Shall be your Sufficient warrant and have you there this precept Given under our hands & Seales this 29.th day of Octob.^r in the year of our Lord 1674 (fol. 149)

To m.^r Henry Darnall High
Sheriff of Calvert County

Ro: Carville (sealed)
Ric. Ladd .. (sealed)

On the foregoing precept was thus written

By Virtue of this precept I have Summoned twelve & Lawfull men of my Bailiwick whose names I have hereunto annexed in a Schedule

ffrancis ffreeman Sub Sher

John Trostor	James Thompson	Nicholas Carr
ffrancis Hutchins	James Macall	William Irrland
George Abbott	George Whitle	James Elton
James Humes	William Barnet	Nathan Daw

Henry Darnall Sher

An Inquisition Indented taken at the house of Jn^o Hanse upon the Clifts in the County of Calvert this Twentieth day of November in the three and fortieth year of the Dominion of Cæcilius &c before us Robert Carville and Richard Ladd Gent by virtue of a

Liber C D Commission in the nature of a Writt of mandamus to us directed to this Inquisition annexed to Enquire after the death of Leonard Strong late of Ann Arundell County deſed by the Oaths of John Troster Francis Hutchins, George Abbott, James Humes, James Thompson, James Macall George Whitle W.^m Barnett, Nicholas Carr, William Ireland James Elton and Nathaniell Daw which Said Jurors upon their Oaths Say that the Said Leonard Strong was in his Life Time Reputed Owner of two parcells of Land Lying upon the Clifts in Calvert County aforesaid the one Called Elizabetha Cont.^a Six hundred acres and the other Called Angelica Cont.^a Two hundred acres But Say that they do not know that he dyed Seized in fee of the Same Lands & believe the Contrary for that at the time of his Decease there were no patents of the S^d Lands Granted to the Said Leonard Strong And the Said Jurors do further upon their Oaths Say that the Said Leonard Strong about nineteen years Since went for England and there dyed as appears to them by the Oaths of Sarah Hans & Cap^t Cobreth Leaving behind him one Daughter named Elizabeth Strong his Sole heir being at the time of the Said Leonard's Death of about two years old who Since her Said fathers Death intermarried with one Charles James by whom She had issue a Son or a Daughter as the Said Jurors are Informed which Said Elizabeth the Daughter and heir of the S.^d Leonard as also the Child had by the Said Charles James are both Since dead as they are likewise Informed and other heir of the s^d Leonard Strong the Jurors find none But of what manno^r & under what Rents or Services the Said Severall parcells of Land were or are holden the Said Jurors are altogether Ignorant

And the S.^d Jurors do upon their Oaths further Say that they do not know who for all the time Since the Decease of the s^d Leonard Strong held and Enjoyed the S.^d Severall pcells of Land but they find by the Oath of the Said Sarah Hans that one William Durant a Guardian to the Said Elizabeth Strong did Let the Land to one Edward Verin for the Term of nine years for Building & Clearing & planting an Orchard but for what time he held the Same they know not And that it also doth appear by the Oath of Meredith Jones the present Tennant in possession of the Lands Called Elizabetha that he the Said Meredith was put into possession of the S^d Land Called Elizabetha by the Said Elizabeth Strong the heir and that he paid to the Said Charles James for the Rent thereof Six years the Summe of Eight hundred pounds of Tobacco p annum And that the Said Charles James Sold the Said other two hundred acres Called Angelica to one Thomas Williams for five Thousand pounds of Tobacco and that the Said Thomas Williams his Tennant or Assigns are Still in possession thereof but what the S^d Severall

parcells of Land are worth by the year over and above the Rent due to his Lordship they are Ignorant

Ro: Carvile sealed
Ric Ladd sealed

John Troster for:.....sealed	George Whitlesealed
ffrancis Hutchinssealed	W. ^m Barnetsealed
his F H marke	his WB mark
George Abbottsealed	Nicholas Carrsealed
his T marke	his ND mark
James Humessealed	W. ^m Irelandsealed
his H marke	his V marke
James Thompsonsealed	James Eltonsealed
his ET marke	Nathan Dawsealed
James Macallsealed	his W mark
his M marke	

Cæcilus &c.^a To the Sheriff of Talbot County Greeting Whereas it appears in the Records in our Secretary's office Remaining in our Said province that John Norwood late of our Said province Gent the 21.th Novemb.^r 1663 had Surveyed for him one thousand acres of Land Lying in your County on the north Side of Chop-tanck River Beginning at a marked white oake being the Southermost Bound Tree of the Land of Jerome White Esq & Running from the Said Oake for breadth Southwest three hundred pches to a point of marsh at the mouth of the north branch of the River bounded on the West by the Said branch the Length of five hundred pches North West on the north by a line drawn north East from the end of the north west line for breadth three hundred pches on the East by a line drawn South East from the End of the north East line to the Land of the Said White one hundred pches and by Whites Land unto the first markt oake on the South by the River on the West by the North branch Containing and now laid out for one thousand acres more or Less And Whereas we are Informed that the Said parcell of Land by Severall ways & means is Sythence become forfeited unto us and that one Edw.^d Roe of yo.^r Co.^{ty} holds possession thereof without any Legall title or Right to Entitle him thereunto We Command you that by Lawfull men of your Bailywick you make known unto the Said Edward Roe that he be and appear before us in our Court of Chancery the ninth day of ffebruary next where it Shall then be to Shew Cause if any he have why the Said parcell of Land ought not to be Escheated unto us and the S.^d Edw.^d Roe be amoved from his possession thereof & hereof you are not to fail and that you make known unto our Said Justices in what manner you Execute this writt Wittness our Self at our City of S.^t maries the ninth day of January 1674

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(fol. 151)

Liber C D Cæcilius &c.^a To the Sheriff of Dorchester County Greeting Whereas it was Commanded the Sheriff of Calvert County that he take John Bally if he Shall be found in his Bailywick & him Safe keep So that he have his Body before o.^r Justices of our provinciall Court to be held at S.^t maries the Sixteenth day of Octob.^r 1666 to answ.^r unto Raymond Stapleford in an action of debt upon acc.^o to the Value of four hundred fifty five pounds two Shillings Eight pence new England money and forty five thousand and five hundred twenty Eight pounds of Tobacco w.th Cask at which Said Sixteenth day of Oct.^r the Same Sheriff returned that the Said John Baly was not found in his Bailywick Whereupon it was then Considered by our Said Court that an Attachm.^t ag.^t the Estate of the Said John Baly be Granted the Said Raymond w.^{ch} accordingly iss.^d for forty five thousand five hund.^d Twenty Eight pounds of Tob.^o and four hundred fifty five pounds two Shillings Eight pence New England money & one hundred pounds more directed to the Said Sheriff of Calvert Co.^{ty} & the Same in the Custody of the Same Sheriff to keep untill the Said John Bayly or his Attorney appear to ans.^r the Suit of the S.^d Stapleford at y.^e next prov.^{ll} Co.^{ty} to be held the Eleventh of Decemb.^r then next coming And Whereas afterwards to witt at our prov.^{ll} Court held at S.^t maries the fourth day of June 1669 the S.^d John Baly petitioned our Said Co.^{ty} that Whereas in the month of July 1666 he put to Sea upon a Voyage Intended for Ireland from thence Intended to Barbadoes & So back again for Maryland but by reason of the defectiousness of y.^e Vessell the master & Company did put into ffyall where by distress of weather the Vessel was Cast away and So the pet.^r could not return thence untill November then last that in the pet.^{rs} absence the Said Raymond Stapleford upon false Suggestions & Imaginary p^tences took out a Warrant against him for 455^l.2.^s.8^d & for 45528.^l of Tob.^o directed to the Sheriff of Calvert County who at a Court held at S.^t maries the 16th of Octob.^r brought & Returned his writt of non Est Inventus Whereupon the Court Granted Stapleford an attachm.^t on the pet.^{rs} Estate w.^{thout} prooffe of any thing to be due unto him w.^{ch} attachm.^t was Confirmed at a Court held the 9.th of Ap.^{ll} 1667 that Stapleford by virtue thereof getts out of the hands of Severall men in Ready pay & Bills to the value of ten thousand Six hundred thirty Seven pounds of Tob.^o of yo.^r pet.^{rs} Effects as also his Chest w.^{ch} was at his Lodging wherein were Sundry Sort of Goods & his Apparell as also his Book accompts Letters of Correspondency Bills of Lading, Receipts Releases Bills Bonds & without producing any Inventory of the s.^d writings neither of the Goods nor Apparrell that were in the Said Chest or any appraisem.^t that Ever was made of them, That yo.^r pet^r knowing himself at his departure not to be anything Indebted to the Said Stapleford but he in the pet.^{rs} debt above one hund.^d thousand

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(fol. 152)

pounds of Tobacco left no Atto.^{ry} here for him to defend the s^d Lib C D
açon & Coming now in person to demand of Stapleford to make
proof of his Said pretended Debt in Common form or to have
Restitution of his Goods Tobacco & writeings the S.^d Stapleford
Refuseth to Come to any Compliance Whereupon the S.^d pet.^r
prayed our S.^d Court to Cause the Said Stapleford to declare upon
his Açon & to proove his Imaginary debt if he can & not being able
So to do to declare the the S.^d Attachm.^t & all proceedings thereupon
Invalid or Superceded and that the S.^d Stapleford both by himself
& his Sureties be Lyable to make Restitution to the pet.^r of all his
Tobacco Goods apparell & writeings & to pay all Costs of Suit w.th
Charges & Damages whereupon day was then Given to the Said
Raymond Stapleford untill the next provinciall Court that he make
appear before our Justices there that the pet.^r Stand Justly Indebted
to him that Such order might be taken therein as to the Same
Justices Should Seem meet And Whereas afterwards (to witt) at our
Provinciall Court held at S.^t maries y.^e 14.th day of Dec.^r 1669 being (fol. 153)
then our next prov.^{ll} Court Came the Said John Baly But the S.^d
Raymond Stapleford Came not but made default therefore it was
Considered by our S.^d Court that an Audita querela be Granted
the Said John Bally therefore We Command you that without delay
you Cause the Said John Baily to have full Restitution of his Goods
Tobaccos and writeings attached in the hands of any pson or psons
under the pretext af.^d and if Restitution thereof you Cannot make p. 123
then you take the Said Raymond Stapleford if he Shall be found (fol. 153)
in yo^r Bailywick and him Safe keep so as you have his Body before
our Justices of our next provinciall Court to be holden at our City
of S.^t maries the ninth day of february next to Restore & Satisfye
the S.^d John Bally the Said Goods Tobaccos & writeings So attached
as afores.^d and have you there this Writt Wittness our Self at our
City of S.^t maries the fourteenth day of December in the 43.th year
of our Dominion &c^a Annoq Domini 1674

Cæcilius &c To all Sheriffs Bailys ministers Officer and all other
faithfull psons within our Said province of Maryland as well within
Liberties as without to whom these presents Shall Come Greeting
Know ye that lately we did Comand our Sheriff of Calvert Co.^{ty}
that at all and Singular the places w.thin his Bailywick where he
Should See most Expedient he Should Cause publicly to be pro-
claimed on our Behalf that R.^d Perry & mary Bateman under the pain
of their fidelity psonally Should appear before us in our Chancery on
the 29.th day of September last past & nevertheless if the Said Rich.^d
Perry & Mary Bateman our Said Sheriff could find that then he
Should them attach So that he might have them before us in our S.^d
Chan.^{ry} at the day aforesaid to answer to us as well of a Certain
Contempt by them the Said Richard & Mary to us done as it is Said

Liber C D as also upon those things w.^{ch} Should then & there be objected ag.^t
 them and further to do & Receive what our Said Court Sho.^d Con-
 sider of in that behalf and our S.^d Sheriff Returned into our Said
 Chancery that he had fully Executed our S.^d Writt and that the Said
 Richard Perry and mary Bateman were not to be found in his
 Bailiwick to the Great Contempt of us and as well to the rogation
 of our Laws as Disinherison of us of our Jurisdiction & Seigniory
 w.th in this our province And We lving to keep our Laws of this
 our province from being inged and punish all the Impugnes
 of them & to do what is Just in this part We have assigned you our
 Beloved major Thomas Brooke Thomas Sprigg ffrancis Swanston &
 (fol. 154) Roger Brooke four of the Comissioners Joynlyt or Severally them
 the S.^d Rich.^d Perry and Mary Bateman wheresoever they Shall be
 found as well within Liberties as without by their Bodys as Rebels
 you attach & them to Lead to our prison of our Said County and
 them to Deliver to our Sheriff of our S.^d Co.^{ty} in Safe & Secure
 Custody to be kept untill we shall further Comand, and therefore We
 do Comand & firmly Enjoyn you & Every of you that you be aiding
 assisting & helping unto the S.^d maj.^r Thomas Brooke Thomas Sprigg
 ffrancis Swanston & Roger Brooke & Every or any of them in
 Executing our will & pleasure herein So often as you or any of you
 by them or any of them on our part in the p^rmisses are p^rmonished
 And we do Comand the S.^d maj.^r Tho^s Brooke, Tho^s Sprigg Francis
 Swanston & Rog^r Brooke y.^t they make return unto us in our Chan-
 cery on the ninth day of ffebruary next under the Seals of them or
 any two of them how they Shall Execute this our Commission that
 p. 124
 (fol. 154) we may Cause further to be done threin as our Said Court Shall think
 fitt In Testimony whereof we have Caused these our Letters to be
 made Patents Wittness our Self at our City of S.^t maries this 4.th
 of January in the 43.th year of our Dominion &c^a Anno^q Dom 1674
 Endorsed

By the Court for not answering the Bill of Henry Scarborough

Cæcilius &c^e To the Commission.^{rs} of Baltemore Co.^{ty} Court Greet-
 ing Whereas Thomas Marsh late of o.^r Co.^{ty} of Ann Arundell Gent
 hath been p^rsented in our Said Court of Baltemore Co.^{ty} before
 you for Certain Trespasses & Contempts Contrary to the form of
 the Act of Assembly against getting of Bastard Children made &
 Enacted within our Said province our will being for Certain Causes
 that all & Singular the p^rsentm.^{ts} for whatsoever Trespasses and
 Contempts ag.^t the Said Act the S.^d Thomas Marsh before you in o^r
 Said Court Standeth p^rsented (as it is Said) Should be determined
 before us & not Else where, We do therefore Command you &
 Every of you that all & Singular the S.^d p^rsentm.^{ts} with the Teno.^r
 of the Record Concerning the Same So full & Intirely as before you
 y^e Same was taken by what name soever the Said Thomas be Called

in the Same before us in our Court of Chan.^{ry} to be held the ninth day of february wheresoever it Shall then be fully & Intirely you Send and that you make known to George Utye & Hannah Bowen that they be & psonally appear before us on the day & place afores.^d that we may further do therein as according to Law & Equity to us Shall Seem meet Wittness our Self at our City of S.^t maries the 28.th day of December in the 43.th year of our Dominion &c.^a Annoq Domini 1674

Liber C D

To his Excellency the Cap.^t Generall

(fol. 155)

The Humble petition of Bridgett Liget pt Widow Sheweth

That one William Smoot haveing a pa for a pcell of Land Lying on the west Side of Wiccocomoco in Charles Co^{ty} adjoining to the Land of John Hatch his Land four hund.^d acres more or Less the Said Land by Severall measne a men.^{ts} Came to the Seizin & possession of Thomas Carvile & he being & possesst thereof did for a valuable Consideraçon to him Se red to be paid by John Leget yo.^r pet.^{rs} late husband deçed assigned the S.^d four hund.^d acres to your pet.^{rs} Said husband but before the Consideracon was paid the Said John Leget Dyed

After whose Death yo.^r pet.^r altogether Ignorant of the s^d assignm.^t to her husband makes a new Contract w.th the S.^d Thomas Carvile for the absolute purchasing of the premisses to her & her heirs for Ever Whereupon the S^d Thomas in Consideration of the Summe of four thousand four hundred pounds of Tobacco to him paid by yo.^r pet.^r assigned the p^rmisses to yo.^r pet.^r by Virtue whereof She hath ever Sythence held y^e possession of the p^rmisses & hath been at Great Charge in Building & Clearing & paid the Rent to this time

That yo.^r pet.^r is now informed y.^t her S.^d husband by virtue of y.^e assignm.^t from Carvile dyed Seized of y.^e p^rmisses & he dying w.thout issue y.^e S.^d four hund^d acres of Land are become Escheated

Now for as much as y.^e p^rmisses is y.^e onely Support & Livelyhood of y.^r poor pet.^r She humbly Implores yo^r Lpp wo.^d be Graciously pleased to issue out y.^r Lpps Writt of mandamus to Such psons as y^r Lpp Shall think fitt of yo^r Co^{ty} of Charles Co.^{ty} in ord.^r to y.^e Echeating of y^e S^d Lands to his Ldps use & th^t threupon yo.^r pet.^r may have y.^e preemption threof & a patent for y^e Same & y.^r pet.^r as in duty bound Shall Pray

Granted

Cæcilius &c To our Trusty and Welbeloved John Bowles John Douglas & Robert Poyne of our County of Charles County Greeting We Command you or any two of you that by the Oaths of twelve Good and Lawfull men of your Said County of Charles County by

p. 125
(fol. 155)

Liber C D whom the truth of the matter may the better be known & Enquired of that you or any two of you diligently Enquire what Lands & Tenem.^{ts} John Leget late of Charles County deēd dyed Seized of at the time of his Death as of fee in the S.^d Co.^{ty} of Charles County & of what mannor & under what Rents or Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues and at what
(fol. 156) time the Said John Leget dyed & who is his next heir & of what age the heir is and who those Lands & Tenem.^{ts} from the time of the Death of the Said John Leget have or do Occupy and the issues or profits hath or doth Receive & by what Title & how and in what manner & who hath paid the Rent for the Same & to whom & the Inquisition thereof distinctly and openly made to us in our Chancery under yo^r hands & Seals and the hands and Seals by whom it Shall be made without delay you Send and this writt Wittness our Self &^c the 2.^d Jan.^{ry} in the 43.th year of our Dominion &c.^a Annoq̄ Domini 1674

M.^r Blomfield

I'm desired by D.^r Pearce to Signifie to you that he has Occasion for a writt of mandamus about a plantation form^{ly} Emperor Smith and Abdeloe martins & now in the S.^d Pearce's possession which you may let him have by order from Yo.^r friend

To m.^r John Blomfield Chief Charles Calvert

Clerke of the Secretarys office

The Co^{miss}.ⁿ to be directed to m.^r Tho^s Sprigg & m.^r Robert Carville Charles Calvert

Cæcilius &c.^a To our Trusty & Welbeloved Thomas Sprigg of Calvert County and Robert Carville of our City of S.^t maries Gent Greeting We Command you that by the Oaths of twelve Good and Lawfull men of our Said County of Calvert by whom the truth of the matter may the better be known & Enquired of that y^a diligently Enquire what Lands Emperor Smith & Abdeloe martin late of Calvert County deēd dyed Seized of at the time of their Death as of fee in the County of Calvert and of what mannor & under what Rents and Services and how much those Lands & Tenements are of value by the year in all issues & at what time the Said Emperor Smith and Abdeloe Martin and who is their next heir & what age the heir is & who those Lands & Tenements from the time of the Death of the Said Emperor Smith & Abdelo Martin hath or doth Occupy & the issues and profits hath or doth Receive & by what Title & how and in what mannor & who hath paid the Rent for the Same & to whom & the Inquisition thereof distinctly & openly made to us in our Chan.^{ry} under your hands and Seals and the hands and Seals by whom it Shall be made without delay you Send and this Writt Wittness our Self at our City of S.^t maries y.^c 26.th of Jan.^{ry} in the 43.th year of our Dominion &c.^a Annoq̄ Dom 1674

RC Subp: Henry Woolchurch & Elizabeth his wife to appear in Chan.^{ry} to Answer Jn.^o Beamont ret 20.th Ap.^l next dated 4.th march 43.th year 1674 Liber C D

RC: Subp: John Clements Thomas Vaughan & John Ingram to appear in Chancery to Answer John Edmondson ret 20.th Aprill next dated 4.th march 1674

RC: Thomas Marsh Certiorari to the Com.^{rs} of Baltimore Co.^{ty} ut Est fol: 124 dated 22.th feeb. 43.th year & ret 20.th Ap.^l next p. 126
(fol. 156)

Cæcilius &c.^a To the Justices of the provinciall Court of our Said (fol. 157)
province of Maryland Greeting because in the Records & process as also in the Rendring of Judgm.^t and Granting of Execucon thereupon before you in our Said Court ag.^t John Coadé at the Suit of John Pearce in a plea of Tresspass upon the Case manifest Error hath happened to the Great damage of the Said John Coadé as by the Great Comp.^{lt} of the S.^d John Coadé we have Received We willing that the Error (if any be) Should in due manner be Corrected & full & Speedy Justice to be done to the Said parties in this behalf We Command you that if Judgm.^t thereof be Rendered then the Record & process of y.^r Judgm.^t & Execution afores.^d with all things touching & concerning the Same to us in our Upper house of Assembly at our City of S.^t maries on the first day of our Said Assembly being the 14.th day of february next under your hands and Seals distinctly and openly you Send that Inspection being had of the Records & proceedings therein we may Cause further to be done what of Right & according to the Laws & Constitutions of this our province ought to be done thren & y.^t you Cause the S.^d John Pearce to be Summoned to be then & there to hear the Same and also that you have then & there this Writt Wittness our Self at our City of S.^t maries the 9.th day of Ap.^l in the 43.th year of our Dominion &c Annoq Domini 1675

Cæcilius &c.^a To the Sheriff of S.^t maries Co.^{ty} Greeting (we Command you) because in the Records & proceedings as also in the Rendering of Judgm.^t & Granting Execution within our provinciall Co.^{ty} before o^r Chief Justice our his fellow Justices of our provinciall Court held at our City of S.^t maries the Twelfth day of December last past Between John Pearce p.^{lt} & John Coadé def.^t there hath manifest Error Intervened to the Great damage of the Said def.^t as out of his Comp.^{lt} we have accepted the Records & proceedings of w.^{ch} Said Judgm.^t thereupon before us lately for Certain Causes We have Caused to Come, And we being willing that the Errors if any be Shall be in due manner Corrected & full &

Liber C D Speedy Justice to be done to the parties af.^d in this behalf We Command you that by honest and Lawfull men of y.^r Bailiwick you make known to the Said John Peerce that he be before us & our Council in the upper house of a Gen.^{ll} Assembly on the 14.th day of feeb.^{ry} next Coming to hear the Said Errors and further to do and Receive that w.^{ch} we & our S.^d Councill in our S.^d upper house of the s.^d Gen.^{ll} Assembly Shall then Consider and have you there the names of them by whom you make this known unto him & that you from further takeing arresting Imprisoning or him by y.^r occasion any ways mollesting you altogether Supersede if him the s.^d John Code for that Occasion & no other you have taken from the prison in w.^{ch} he is detained without delay you Cause to be delivered on peril thereon following Wittness our Self at our City of S.^t maries the 9.th day of Aprill in the 43.th year of our Dominion & Annoq̄ Domini 1675.

RC Sup.^a John Easter Jn.^o Goddard & W.^m Lucas to Testifie for W.^m Gwyther p.^h ag.^t Tho.^s mathews & others def.^{ts} ret w.thout delay dated 22.th march 1674

15.th march 1674

Mandamus then issued to Robert Carvile & Tobias Norton of Calvert County to Enquire what Lands or Tenem.^{ts} John Little late of the S.^d County dyed Seized of in his Demeasne as of ffee within the s.^d Co.^{ty} &c ut est mulatis mutandis fol: 91

p. 127
(fol. 158) 15.th Aprill 1675

Mandamus then issued unto Cap.^t John Jordain & John Warren Gent to Enquire what Lands or tenem.^{ts} John Thimbleby late of S.^t maries County dyed Seized of in his Demeasne as of ffee within the Said County &c.^a ut est mutatis mutandis fol 91 Ret

RR Subp: Richard ffoxum Son and heir of Richard ffoxum late of the County of Baltemore deſed William Chadborne & Susanna his wife to appear in Chancery to Answer the Bill of Comp.^h of Edw.^d Skidmore Comp^h ret dated the 9.th of march

Cæcilius &^a To the Sheriff of S.^t maries County Greeting whereas William Hide hath Come before us in our Court of Chancery & hath found Sufficent Security as well his Clamour to prosecute as for his Goods viz.^t one new ffashion Stuff Suit lined through w.th Indian Silk & a knot of Ribbons of two Colours on the Shoulder one Sarge Colour'd Suit line w.th Ordinary Stuff through with the Same Sarge one Light Colour'd Suit lined with Ordinary Stuff with Stocking Suitable to them all, one white Caster hat two Belts for Swords one Cap with ffurr and laced over the head all Sorts of

howsall Linning as Sheets Napkins Table Cloths Towells & many Cravatts 1 doz. Brass Rings one knife two penknives & two knives one Trunk marked WH in brass nails on the Top full of Linnen & Woollen one hair Camblett oake lined w.th Shalloon one hogsehead full of Pewter and Brass Iron Ware one piece of Black Cloth one hogsehead of Bottles one Large Baskett of Bottles pints quarts pottles and Gallons one Cabbinett with Six Scrued Bottles all needle work of Silk two Swords two pockett pistols one Cross bowe one Kilderkin with Shoes Stockings and Iron Wares all marked WH Except the Bed one large feather bed with a Bowlster two pillows two Sheets and two Blanketts & one quilt one white flowered Sattin Wastcoat w.th Silver lace w.^{ch} William Nicholls took & unjustly detains as it is Said to be Returned if the Return of them be adjudged therefore We Charge and Command you that the Goods af.^d to the S.^d William Hyde Replevied to be and delivered you Cause & put by Surety & Safe pledge the afores.^d William Nicholls that he be before our Justices of our provinciall Court on the first day of the Said Court to be held at the City of S.^t maries the fourth day of may next to Answer the af.^d William Hyde of a plea of takeing & unjustly detaining of his Goods afores.^d and how this our writt Shall be Executed to our Justices at the Said next Court at the Said City of S.^t maries to be held you make known under y^e pain of Incumbent & also then & there make Return of this Writt Wittness &c.^a date the 8.th of Ap^l in the 43.th year &c^a Annoq Domini 1675

Liber C D

(fol. 159)

In Chancery Between John Bayly plant & James Neale defend.^t & Between James Neale pl.^t and John Bayly defendant

The Said John Bally pl.^t maketh Oath that on the ninth or Tenth day of Ap.^l of the year 1673 he psonally Served the S.^d def.^t Neale w.th a writt of Execution of a decree made in these Causes bearing date the 26 day of ffebruary 1672 by delivering unto him the s.^d neale the S.^d Writt of Execution of the Decree under the Seal of this Hon.^{ble} Court by w.^{ch} the Said Decree the S.^d James Neale was to pay unto the Said John Bally forthwith the Summe of Sixty one thousand five hundred & nine pounds of Tobacco & this Depon.^t further Saith that at the Same time this Depon.^t did in y^e p^rsence of Hugh Oneale Charles Boteler and others demand & require from him the Said James Neale the Remainder of the Said Summe of Sixty one thousand five hundred and ninety pounds of Tobacco then unpaid w.^{ch} was Twenty five thousand one hund.^d & Seventy Six pounds of Tobacco the Said James Neale having after the Said Decree was made and before Such Service paid unto this Depon.^t or his order the Summe of thirty Six thousand four hundred and fourteen pounds of Tobacco for the w.^{ch} this Depon.^t did Give him a discharge up^{on} Record And the S.^d James Neale did at the

p. 128
(fol. 159)

Liber C D time of Such Service of the S.^d Execution Say that he Could not then pay the Residue but that he would pay the Same unto him the Said John Bally or his order at any time when Required the following cropp of Tobacco of the same year 1673. And this Deponent further deposeth and Sayth that & Towards paym.^t of the Remainder of the Said Tobacco due by the s^d Decree being Twenty five thousand one hundred & Seventy six pounds of Tobacco this Depon.^t hath given Severall orders to receive Severall Sum^s of Tobacco amounting to Eleven thousand four
 (fol. 160) hundred Twenty and two pounds of Tobacco but he the s^d James Neale hath not hitherto for any thing that appears by any accounts since by him the said James Neale to this Depon.^t or the Said Notes deliver Back to this depon.^t paid the S.^d Eleven thousand four hundred and twenty and two pounds of Tobacco or any part thereof to this Depon.^{ts} Knowledge and this Depon.^t further Saith that he had re^d from the Said James Neale Eighteen hhds of Tobacco Containnig neate Seven thousand ninety and one pounds of Tobacco moreover the Said James Neale hath made over unto this Depon.^t a Bill of Walter Halls for one thousand pounds of Tobacco w^{ch} Bill this Depon.^t hath accepted & taken for pay Likewise the said James Neale hath Sent unto Charles Delaroch by the Order of this Depon.^t Twenty Bushells of Wheat for the w.^{ch} the depon.^t is to allow unto the Said James Neale twelve hundred pounds of Tobacco Likewise this Dep.^t doth make Good unto the said James Neale by y.^r appointm.^t of Garrett Vansweringen two thousand pounds of Tobacco all w.^{ch} Sumes being deducted & the Said Notes for Eleven thousand four hundred twenty and two pounds of Tobacco appearing to have been paid there will still Remaining owing from the Said James Neale to the said Bally to Compleat the full paym.^t of the Sum^e decreed the Sum^e of two thousand four hundred Sixty three pounds of Tobacco the w.^{ch} Said Sum^e of two thousand four hundred Sixty three pounds of Tobacco the S.^d James Neale hath not hitherto paid But still Refuseth to pay the Same

John Bally

Juravit 13.^o Ap: 1675

Phillip Calvert

Cæcilius &^c To the Sheriff of S.^t maries Co.^{ty} Greeting We Command thee that thou attach James Neale that thou hast him before us in our Court of Chancery upon the first day of our next Provincial Court to be holden at the City of S.^t maries the fourth day of May next to Answer unto us as well touching on Certain Contempt by him against us Committed as is Supposed for the breach of a Certain decree made in our Said Court in a Cause late depending Between John Bally Comp.^{lt} and the Said James Neale defend.^t as also of all other things that Shall then

and there be objected against him & further to do and Receive what our Said Court Shall Consider of in this Behalf and this thou Shalt in no ways omitt and have thou there this writt Wittness our Self &c. the 13.th of Aprill in the 43.th year &c.^a 1675 Liber C D

Cæcilius &c.^a To the Sheriff of S.^t maries County Greeting We Command you that all and Singular our writts & precepts to you delivered & before us y.^e 20.th of Aprill next by y.^e to be Returned y.^e detain in yo.^r hands untill the Second tuesday in Novemb.^r next & that y.^e have then before us at our Provinciaall Court w.th y.^r Returns & Executions of the Same that we may further pceed to y.^e psecution of the parties in the Same writts as of Right we Shall think fitt to be done in this behalf & hereof you are to make proclamation that all psons Concerned may keep their day at y.^e Second Tuesday in November next Ensuing the date hereof Wittness our Self &c the 25.th march in the 43.th year &c.^a Annoq Domini 1675

On the Same day y.^e like writt iss.^d to Each Respective Sheriff of y.^e Severall Countys of this Province

Cæcilius &c.^a To the Sheriff of S.^t maries County Greeting Where-as by Reason of Generall want of Provision in o.^r Said province we did Command thee that all & Singular the writts & precepts to y.^e delivered & before us the 20.th day of aprill next by thee to be Returned at S.^t maries thou Shouldst detain in thy hands untill the Second Tuesday in November next and Whereas there is hopes now that our Said province may Sooner be Supplied We Comānd thee that the S.^d writts precepts and process to you delivered & before us the 20.th day of Aprill or the Said Second Tuesday in November to be Returned y.^e detain in yo.^r hands untill the first Tuesday in may next & no Longer the Said writt of adjournm.^t notwithstanding & that y.^e have all the Said writts before us in our Said prov.^l Court w.th the Returns & Executions of the Same that we may furth.^r pceed to the psecution of the parties in y.^e Same writs as of Right we Shall think fitt to be done in this behalf & hereof y.^e are to make proclamation that all psons concerned may keep their day at y.^e S.^d first Tuesday in may next Wittness our Self &c the 5.th Ap.^l 1675

The Same day y.^e like writt issued to Each Respective Sheriff of the Severall Co.^{ty}s within this province

Sp.^a Edward Dorsey of Ann Arundell County to Answer the .Bill of Comp.^l of Tho Bland & Damocis his wife Executrix of the Last Will & Testam.^t of Nicho.^s Wyatt deēd Comp.^l Ret the 4.th of may next dated the 21.th Aprill (fol. 162)

Liber C D Cæcilus &c.^a To our Trusty and Well beloved Robert Burle and Thomas Besson of Ann Arundell County Gent Greeting because We are Informed that James Stringer late of your County deced at the time of his death was Seized in his demeanne as of ffee in divers Lands & Tenem.^{ts} in your Said County w.^{ch} of Right ought to descend to mary Williams wife of Lodowick Williams & Daughter & heir of the S.^d James Stringer decēd and from her by undue means are kept away as is Said We do therefore Require and Authorize you as form^{ly} We have Required and Authorized you that by the Oaths of twelve Good & Lawfull men of your Said County by whom the truth of the matter may more fully appear you diligently Enquire what Lands and Tenem.^{ts} the Said James Stringer dyed Seized of within your Said County and whether the Said mary be his next heir and whether the Same were Surveyed in the lifetime of y^e Said James Stringer and the quantity of the Same and whether the Same may or ought to descend to the Said heir and whether the Same are not Escheated unto us & who are the present possessors of the Said Land and by what title and the Inquisition thereof by you distinctly & openly to us in our Chancery without delay you Send under your Seals and the Seals of them by whom the Said Inquisition Shall be made and this writt Wittness our Self at the City of S.^t maries this 22th day of ffebruary in the 43.th year of our Dominion &c.^a Annoꝝ Domini 1674


p. 130
(fol. 162)

On the aforegoing writt of mandamus was thus Written The Execution of this writt appeareth in a Certain Schedule hereunto Annexed

p Robert Burle
Thomas Besson

We of the Jury of Inquest whose names are hereunder written do unanimously Concurr and agree that James Stringer of the County of Ann Arundell deced dyed Seized of Twenty acres of Land Lying on the South Side of Severne River in y^e Co.^{ty} afores.^d and that Mary Williams y.^e wife of Lodowick Williams ought of Right to be heir thereunto & that the S.^d Stringer dyed Seized of no other Land as we find but of the S.^d Twenty acres w.^{ch} Said Land is in the possession of m.^r Richard Hill of the Co.^{ty} af.^d and that the one hundred & fifty acres Supposed to be James Stringers is not Escheated Land for that we find the Rent thereof hath been duely paid & is now in the possession of m.^r Nath.^{ll} Heathcoate and was never Surveyed for James Stringer in his life time

(fol. 163)

Thomas ffrancissealed	W. ^m Bratmansealed
Henry Pierpointsealed	John  Taylorsealed
his mark	Rob. ^t R L Lowesealed
ffardinando B Battinsealed	Leon ^d L W Weymansealed
Robert R P Proctorsealed	W. ^m Jonessealed
Gabriell P Parrottsealed	W. ^m Ramseysealed
Rich. ^d R Tydingssealed	

In Testimony whereof as well the Said Commission.^{ts} have also Liber C D
Set their hands & Seals this 10.th march 1674

Robert Burle sealed

Thomas Besson sealed

Cap.^t Thomas Besson aged 58 years Sworn Saith that James
Stringer in his life time did Enter a Caveat for one hund.^d & fifty
acres of Land in South River as was the manner in those days but
not Surveyed in his life time but Surveyed by John Collier after the
decease of the Said Stringer & upon the Rights of the S^d Stringer
that the twenty acres at Severne was Surveyed in the life time
of the S.^d Stringer and was fully possessed w.th it & further Saith not
march 10.th 167 $\frac{1}{2}$

Tho Besson

Jurat Coram me Robert Burle

On the Back Side of a mandamus directed to Thomas Sprigg & (fol. 164)
Rob^t Carville Gent Bearing date the 26.th day of may in the 43th
year of the Dominion of Cæcilius Annoq̃ Domini 1674 to Enquire
by the Oaths of 12 Good & Lawfull men of Calvert County what
Land or Tenem^{ts} Emperor Smith & Abdeloe Martin Late of the
Same County decēd dyed Seized of at the time of their death was
written as followeth

The Execution of this Commission appears by Certain Schedule
hereunto annexed

Tho: Sprigg

Ro: Carville

By Virtue of a Commission in the nature of a writt of mandamus
issued out of his Lordships Court of Chancery directed to us
Thomas Sprigg & Robert Carville Gent these are to Will & Com-
mand you that you Cause to Come before 12 Good and Lawfull
men of your Baillywick upon Tuesday the 4.th day of ffebruary
next at the house of Richard Keene in Putuxent Between the hours
of 9 and 10 in the morning to Enquire what Lands and Tenem.^{ts}
Emperor Smith and Abdelo Martin late of your County dyed
Seized of at the time of their Death as of ffee and of what manno.^r
and how much those Lands and Tenem.^{ts} are of value by the year
in all issues & who the Same do occupy and who hath paid the Rent
for the Same & who is next heir to the Same lands & of what age
the heir is and at what time the Said Emperor Smith and Abdelo
martin dyed and hereof fail not under the pain Ensueing And for
yo^r So doing this Shall be your Sufficient warrant and have you there
this precept Given under our hands and Seals this 27.th day of Jan.^{ry}
in y^e year of o^r Lord 1674

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(fol. 164)

Tho: Sprigg (seal)

Ro: Carville (seal)

To m.^r Henry Darnall high

Sheriff of Calvert County

Calvert County ss.

An Inquisition Indented taken at the house of m.^r Richard Keene
in Putuxent River in Calvert County Inholder upon Thursday the

Liber C D 4.th day of ffebruary in the year of our Lord 1674 before us Thomas Sprigg and Robert Carville Gent by virtue of a Comission on the nature of a writt of mandamus issued out of his Lordships Court of Chancery to us directed by the Oaths of Cuthbert ffenwick John Gittings, John Darnall Robert ffenwick Richard ffenwick Peter Joy, W.^m Innis, John Nuthall, Jonathan Pryter, W.^m Wilson, John Hall and W.^m Hill twelve Good and Lawfull men of the S.^d County Impannelled to Enquire what Lands or Tenem.^{ts} Emperor Smith & Abdelo Martin of the Said County deſed Seized of at the time of their Death as of ffee & of what manno.^r & how much those Lands & Tenem.^{ts} are of value by the year in all issues & who the Same do Occupy and who hath paid the Rent for the Same & who is the next heir to the Same lands & of what age the heir is and at what time y^e S.^d Emperor Smith & Abdelo martin dyed w.^{ch} Said Juro.^{rs} upon their Oaths Say as followeth


(fol. 165)

That they find that George Beckwith and ffrances his wife in Right of the Said ffrances being Seized in fee of a Certain parcell of Land late y^e land of Nicholas Harvey father of her the Said ffrances Called S.^t Joseph's manno.^r & Scituate on the South Side of Putuxent River did by writeing under their hands and Seales bearing date the Eighth day of ffebruary 1658 and now to us produced for y^e consideracon therein menſioned fully freely and absolutely Give Grant Bargain Sell assign and Set over unto Emperor Smith and Abdelo Martin all their Right Title and Interest Claim and demand whatsoever of in and to one parcell of Land Scituate Lying on the South Side of Putuxent River by the Back Creek being Surveyed and Laid out for one hundred Sixty and five acres more or Less To have & to hold the S.^d Land with all timber Trees and other Rights & appurtenances to the Same belonging unto the Said Emperor Smith & Abdelo martin their & Either of their heirs for Ever with Warranty ag.^t them the S.^d George and ffrances & their heirs & all Claiming by from or under them any Title or Right whatsoever and that by Virtue of the Said Grant they the Said Emperor Smith & Abdelo martin Entered into & became Seized or possessed of the one hundred Sixty five acres of Land & being So in possession thereof the S.^d Emperor Smith & Abdelo martin made Some Division of the s.^d Land to be held by them in Severalty & not Long after dyed the Said Emperor Smith without issue Leaving the S.^d Abdelo And afterwards to wit about Seven or Eight years Since the Said Abdelo dyed Leaving issue three daughters w.^{ch} they believe are all Liveing and that the Eldest of them is ab.^t 17 years old And the Said Jurors upon their aths do further Say that the S.^d Emperor Smith and Abdelo martin were aliens & dyed w.^{thout} being Naturalized to their knowledge and that Since their Deaths John Peirce and Richard Baily or one of y.^m have been in possession of the S.^d Lands & Still are & that the s.^d Land is worth four hundred pounds of

Tobacco p Annum but what Rent hath been paid for the Same by whom or to whom or whether any Rent be due to be paid for the Same they know not, And the said Jurors do further on their Oaths Say that the S^d Land was p^t of the s^d manno^r In Testimony whereof as well the Said Com.^{rs} as the Juro^{rs} afores.^d have hereunto put their hands and Seals y.^e day & year aboves.^d

Tho Sprigg (seal)

Ro: Carville (seal)

Cuthbert ffenwick (seal)	Jn. ^o Nothall (seal)
John Gittings (seal)	the mark of
John Darnall (seal)	Jonath:  Preyter . . . (seal)
Robert ffenwick (seal)	the mark of
Richard ffenwick (seal)	W. ^m W Wilson (seal)
Peter Joy (seal)	John Haller (seal)
W. ^m Innis (seal)	W. ^m Hill (seal)

ffeb.^{ry} the 9.th 1674

(fol. 166)

The foregoing Inquisition being Read in open Court It was the Judgm.^t of his Lordship's Justices then present that the S^d one hundred Sixty five acres of Land Specified in the Said Inquisition is Escheat & forfeited to his Lordship the Lord Proprietary the S^d Emperor Smith & Abdelo martin being aliens at the time of their decease

And the Same Land afterwards Granted by the Lieuten^t Gen.^{ll} & under the Great Seal of this province unto John Peerce Chirurgeon for the Consideration of five thousand pounds of Tobacco

On the Backside of a Writt of Mandamus bearing date the 21th day of march in the 43.th year of the Dominion of Cæcilius & Annoq Dom 1674 Entred Lib^o R: R fo: 157 & directed to Robert Carville & Tobias Norton Gent diligently to enquire by the Oaths of 12 Good & Lawfull men of Calvert Co.^{ty} what Lands & Tenem.^{ts} John Little late of the Same County deēd dyed Seized of at the time of his Death &c.^a was written as follows

The Execution of this Commission appears by a Certain Inquisition hereunto Annexed

Robert Carville

Tobias Norton

By Virtue of his L^{pps} Commission in the nature of a writt of mandamus issued out of his L^{pps} high Court of Chancery to us Robert Carville & Tobias Norton Gent directed We Command & Require you that you Cause to Come before us at the house of Thomas Cosden in Battle Town in Putuxent & County of Calvert on monday y.^e 26.th day of Ap.^{ll} Instant Twelve Good & Lawfull men of your Baillywick by whom the truth of y.^e matter may be the better known diligently to Enquire what Land & Tenem.^{ts} John Little of Calvert County af.^d deēd held of us in his Demeasne as of ffee at the time of his Death & of what manno.^r & by what Services

Liber C D & how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the Said John Little dyed & who is his next heir & of what age the heir is & who those Lands & Tenem.^{ts} from the time of the Death of the Said John Little have or doth Occupy & the issues & profits thereof have or do Receive & by what Title & how & in what manner And for yo.^r So doing this Shall be your Sufficient warrant Given und.^r our hands & Seals this 6.th day of Aprill in the year of Lord 1675 Robert Carvile (seal)
To m.^r Henry Darnall high Sheriff Tobias Norton (seal)
of Calvert County

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(fol. 166)

An Inquisition Indented taken the 26.th day of Aprill in the 43.th year of the Dominion of Cæcilius &c.^a Annoꝝ Domini 1675 at the house of Thomas Cosden in Calvert Co.^{ty} in the province of maryland before us Robert Carvile and Tobias Norton Gent by virtue of a Comiſſion in the nature of a of mandamus issued out of his Lordship's high Court of Chancery to us directed by the Oaths of twelve Good & Lawfull of the Same County diligently to Enquire what Lands and Tenements John Little of the Same County deſc'd held of the Right Hon.^{ble} the Lord Prop^{ty} in his demesne as of fee at the time of his Death & of what manno^r & by what Services and how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the Said John Little dyed & who is his next heir & of what age the heir is & who those Lands & Tenem.^{ts} from the time of the death of the Said John Little have or doth Occupy & the issues & profits have or do Receive & by what Title & how & in what manner by the Oaths of Charles Boteler, Samuëll Goosey, Francis Street Tho^s Bumpass William House Thomas Edwards Robert Rider Griffith George Jn.^o Leach W.^m Kidd Timothy Gunton & Thomas Bancks who being by us duly Sworn Say upon their Oaths as followeth

(fol. 167)

That the Said John Little dyed in the month of September Anno Dñi 1666 Seized & possessed of a parcell of Land Lying on the north Side of Putuxent River & on the South Side of a Creek of the Said River Called Hunting Creek adjoining to the Land of John Davis planter Cont.^a Two hund^d & fifty acres held in fealty only by ffree and Common Soccage under the yearly Rent of five Shillings w.^{ch} Land w.th the houses thereupon built is worth Eight hundred pounds of Tobacco p annum but of what manno^r the Same is holden they do not know

Also the Said Jurors upon their Oaths Say that the S.^d Jn.^o Little dyed Seiz^d of a pcell of Land Called Clahamond Cont.^a three hund^d & fifty acres Lying on the East Side of Putux.^t River above the head of Hunting Creek in y^e Woods adjoining to a parcell of Land formerly belonging to the Said John Little Called Little Town upon w.^{ch} Land there is a Small plantation w.^{ch} land & plantation is worth one hundred pounds of Tobacco p annum over & above all issues & Reprizes but of what manno^r y^e Same is holden they know not

The Said Jurors do upon their Oaths further find that the Said John Little dyed Seized of Seven acres of Land Lying on the East side of Putuxent River on Hunting Creek adjoining to the Land of Rich^d freeman the Land of the Said Little & the Land of Griffith George & that the Same is held of y^e manno^r of Calvert und.^r y^e yearly Rent of two pence Sterling

Liber C D

They do Likewise find that the Said John Little dyed Seized of another pcell of Land Called Overtown Lying on the East Side of Putuxent River near y^e head of Hunting Creek Beginning at a marked white oake by a path Called the Clifts path Containing two hundred & fifty acres under the Rent of five Shillings Sterling but of what manno^r the Same is held they cannot find, nor can they Say what the Same is worth being not manured or planted as by a Copy of the Certif.^{ts} of the S.^d Severall pcells of Land to us now produced under the hands of m.^r John Blomfield Cke of y^e Secretary's office may more at Large appear

And do also upon their Oaths further Say that the S.^d Jn.^o Little dyed Seized & possessed as af.^d without any heirs to whom the Lands might or could descend only they Say that the S.^d John Little did in his life time make his Last will & Testam.^t in writeing & thereof made his wife mary Executrix & amongst other things devised to her y^e Said mary his whole Estate as moveable as imoveable freely to be at her own disposing after his decease only he did Enjoyn her not to Sell any p.^t or pcell of the Land w.^{ch} was then his to any pson or psons as Long as She lived on penalty of forfeiting the Remainder unto the Lord Proprietary And that by virtue of the Said Will the Said mary Entered into & took possession of the premisses and afterwards Intermarried with one Joseph Tilly who in her Right hath held & kept the possession of the premisses & Received the Rents issues and profits thereof till the month of ffebruary last past at which time the Said mary dyed and the Said Joseph Since her Death held the Said Land and premisses but by what Right or Title they know not In Testimony whereof as well the Said Commissioners as the Jurors afores.^d have hereunto Set their hands and Seals the day and year first above written

p. 134
(fol. 168)

Ro: Carville (seal)

Tobias Norton (seal)

Charles Boteler (seal)	Robert Rider (seal)
his mark	the mark of
Sam. ^{ll} S G Goosey (seal)	Griffith JA George (seal)
ffrancis Street (seal)	his mark
the mark of	Jn. ^o Leach H. (seal)
Thomas } Bumpass . . . (seal)	his mark
Will House (seal)	W. ^m W Kidd his mark. . (seal)
his mark	Timothy Gunton (seal)
Tho Edwards E. (seal)	Tho: Bancks (seal)

Liber C D may the 4.th 1675

The aforegoing Inquisition being Read in Open Court it was y^e Judgm.^t of his Lpps Justices then present that the Severall pcells of Land Specified in the Said Inquisition are Escheat & forfeited to his L^{ty} the Lord Prop.^{ty} the Said John Little dying without an heir

may 13.th 1675

Mandamus then issued to Joseph Weeks & Henry Hosier of Kent Co.^{ty} Gent that by the Oaths of twelve &c.^a they Enquire what Lands Deliverance Lovely dyed Seized of & ret without delay

Cæcilius &c^e To the Sheriff of Somerset County Greeting Whereas upon the 19.th day of January 1663 a Conditionall warr.^t for one thousand acres of Land iss^d from our Lieuten.^t of our S.^d province unto George Nasworthy of Nansoamin in James River in the Colony of Virginia Gent to lay out the Same for him in any p.^t of this province Provided he should make Good Rights for the Same within twelve months next Ensuing the date of the Said Conditionall warr.^t & in pursuance th^{re}of y.^e S.^d Geo: Nasworthy had one thousand acres of Land Laid out for him in manokin River Called Nasworthy's Choice Lying on the South Side of manokin Riv.^r Cont.^a one thousand acres more or Less And Whereas the s.^d George Nasworthy never made Good Rights for the Same according to y^e Teno.^r of the s.^d warr.^t So Granted to him as aforesaid whereby the s.^d Land is become Escheated unto us and for that William Thompson of yo.^r Co.^{ty} Gent without any Recital or menconing of the S.^d Conditionall warr.^t of the s.^d Geo Nasworthy hath by virtue of a patent Surreptitiously obtained from or under o^r Great Seal of our Said province bearing date the first day of Octob^r in the fortieth year of our Dominion &c.^a by him & his heirs Entered into & upon five hundred acres part of the premisses And whereas also Thomas Jones of your County Gent by assignm.^t of the S.^d Nasworthy hath also procured patent for the Said one thousand acres of Land formerly Surveyed for the said Nasworthy dated the first of oct.^r in the 41th year of our Domniion &^a to our Great prejudice disinherizon of us & our heirs of the premisses as it is Said And that we may have Speedy Right & Justine in & Concerning the Same & that all & Singular the S.^d Letters patents as well to him the Said W.^m Thompson as the s.^d Letters patents to him the Said Tho: Jones So as afores.^d Granted may be Revoaked & adnulled And the Said Lands into our hands as our Right may be Seized & the Said W.^m & Thomas & all the Tenants & Occupiers thereof from the possession thereof may be amoved We Command you that by Good and Lawfull men of your Bailiwick you make known & Give warning to the Said William Thompson & Thomas Jones & all others the Tennants and Occupiers of the Said Land that they be before us in our Chan-

(fol. 169)

cery the ninth day of february next to Shew what for us or themselves they have or can Say wherefore the Said Letters patents of the aforesaid Land or any part or parcell thereof ought not to be Revoaked and adnulled & the Record & Records thereof Cancelled & made void and the Same into our hands be Seized and further to do & Receive what our Said Court Shall do or Grant to be done in this behalf And that you then & there Return to our ^{s^d} Justices how you have Executed this writt Wittness our Self at our City of S.^t maries the 30.th day of December in the 43.th year of our Dominion &^a Anno^o Domini 1674

Liber C D
p. 135
(fol. 169)

Jo.ⁿ Blomfield Reg.^r

P: Calvert Can^e

January 30.th 1674

On the backside thereof was written

Executed p me W.^m Coulborne Sher before m.^r Nicholas Rice m.^r David Brown, m.^r George Johuson, m.^r John Winder, John King, Miles Gray Alexander Draper Good & Lawfull men of my Bailiwick

To the Right Hon.^{ble} Charles Calvert Esq^o Lieu.^t Gen.^{ll} of maryland

The Humble petition of Robert Wade Sheweth

That John Clarke of this County of Ann Arundell de^{cd}ed left at his decease fifty acres of Land & one Son who hath been ever Since kept & maintained at the proper Cost & Charge of your pet.^r who is also now lately de^{cd}ed Therefore yo.^r pet.^r humbly prayeth that your Lo^{pp} would be pleased to Grant him the Said fifty acres of Land it Lying very Convenient for yo.^r pet.^{rs} use and your pet.^r is willing to Satisfie your Lo^{pp} for the Same And yo.^r pet.^r as in duty bound Shall Ever pray &c.^a

Let a Writt of Inquiry issue forth with a Commission to maj.^r W.^m Burges & m.^r John Welsh touching the Land men^{cd}oned in y.^e above written petition

To W.^m Calvert Esq^o Secretary

Charles Calvert

28.th June 1674

Cæcilius &c To our Trusty and Welbeloved maj.^r W.^m Burgess & John Welsh of Ann Arundell County Gent Greeting We Comndand you that by y.^e Oaths of Twelve Good & Lawfull men of our Said Co.^{ty} of Ann Arundell by whom the truth of the matter may the better be known & Enquired of that you diligently Enquire what Lands John Clarke late of Annarund.^{ll} County de^{cd}ed dyed Seized of at the time of his Death as of ffee in the Co.^{ty} of Ann Arundell & of what ma^{nor} and under what Rents & Servcies & how much those Lands & Tenem.^{ts} are of value by the year in all issues & att what time the Said John Clarke died & who is his next heire & what age the heir is & who those Lands, tenem.^{ts} from the time of the Death

Liber C D of the Said John Clarke hath or doth Occupee their fines & profits hath or doth receive & by what title & how & in what manno.^r & who hath paid the Rent for the Same & to whom, And the Inquisition thereof distinctly & openly made to us in our Chancery under y.^r hand, & Seal & the hands & Seals by whom it shall be made w.thout delay you Send & this writt Wittness our Self at our City of S.^t maries the 8th day of July in the 44.th year of our Dominion &c^a Annoq^d Dñi 1675

July 9.th 1675

Mandamus then issued to Thomas Sprigg & Cuthbert ffenwick of Calv^t County Gent that by the Oaths of xij &c^e they Enquire what Lands Charles Bird dyed Seized of &c ret. without delay

(fol. 170) To his Excellency the Cap.^t Gen.^{ll} Governo^r of maryland
The humble pet.ⁿ of Margaret Bird Widdow

Humbly desireth that yo^r Excellency would be pleased to hearken to yo.^r peti^{on}.^{rs} distressed Condition by the death of her late husband Charles Bird who having in his Lifetime purchased two ꝓcells of Land Containing one hundred and Sixty acres w.^{ch} Said ꝓcells of land are adjoyning upon your Excellencys manno.^r of Calverton w.^{ch} Said ꝓcells of Land the s.^d Charles Bird did Lease out to a Neighbour of his for a Term of years w.^{ch} Said Term being now almost Expired yo.^r pet.^{rs} humble Request to your Excellency is that She may have the Said Lands for her Child whom She had by her former husband, because it was the Verball Will of the S.^d Charles Bird before a woman then liveing in the house w.^{ch} was that he did Give the Said Land to his wife dureing her life & after her decease to her Child w.^{ch} Said woman hath already Given in her Deposition of the Same w.^{ch} yo^r pet.^r hath here Ready to show your Excellency hoping yo.^r Excellency will shew Some mercy towards her distressed Condition in Granting her the Same w.^{ch} her husband did will to her being in his perfect Senses ab.^t a day before he dyed She having no neighbour near that Could write his will & not thinking death was So near at hand w.^{ch} by reason of his dying Intestate hath been a Great deal of Charge and trouble to yo^r pet.^r who humbly desireth yo.^r Excellency that She may have her Request Granted her that She may be freed from all other Charge & trouble & if these lines will not fully Satisfie yo.^r Ex.^{cy} yo.^r pet.^r will p^rsently bring those whom may Satisfie w.^{ch} is y.^e humble req.^t of y.^r Distressed petition.^r
Margarett Bird

Subp: John Quigley to Answer a Bill in Chan.^{ry} at the Suit of Garret Vansweringen rt 7 may Instant dat 7.th may 1675 I. Rousby ꝓ Comp^{lt}

Subp: John Clements Thomas Vaughan and John Ingram to Answer a Bill in Chancery to Jn.^o Edmundson rt 26.th oct dat 19.th may 1675 R Carvile p Comp.^{lt} Liber C D

Thomas Sprigg ag.^t Thomas & Nathan.^{ll} Truman Subp: in Chan.^{ry} to Tryng & Joyn in Commission rt 26.th oct dat 3.^d June 1675 Carvile

William Gwither ag.^t mathews & ad. q.^c Same rt 26.th oct^r dat 3.^d June 1675 Carvile

W.^m Gwither ag.^t Thomas Mathews & al Subp: to Testifie marg^t Thompson W.^m Lucas & Jn.^o Goddard rt 26.th Oct^r dat 3.^d June 1675 Carvile.

Cæcilius &^c To our Sheriff of our County of S.^t maries Greeting Whereas at our Prov.^{ll} Court held at our City of S.^t maries y.^e 4.th day of may in the 43.th year of our Dominion over our Said Province before our Justices threunto assigned Thomas Hedge of o.^r Co.^{ty} of Ann Arundell merch.^t Recovered Judgm.^t ag.^t Daniell Jenifer Gent for the Sum of Seven thousand three hundred pounds of Tobacco debt as also the Sum of Six hundred and five pounds of Tobacco Cost of Suit w^{ch} in y.^e whole amounts unto the Sum of Seven thousand nine hundred & five pounds of Tobacco only Execution thereof was Stayed untill the tenth day of November next and Whereas the s.^d Thomas Hedge hath explained unto us that the s.^d Daniell Jenifer is upon Departure out of this Province the S.^d Judgm.^t being wholly unsatisfied & hath no Visible Estate in this province upon w.^{ch} Execution upon the Said Judgm.^t may be Levyed We do therefore you that you take the Body of him the Said Daniell Jenifer if found within yo.^r Bailiwick and him Safely keep untill he Enter into Recognizance in our Court of Chancery with Sufficient Sureties not to depart this Province untill he hath fully Satisfied the Said Judgm.^t or that the Same Shall be fully Satisfied by the Said 10.th day of Nov.^r according to the Teno.^r of the Said Judgm.^t this your are not to fail at yo.^r perill Wittness o^r Self & the 30.th of Aug.^t in the 44.th year &c.^a Annoq̄ Domini 1675 (fol. 171)
Ridgely p quer

Writts of adjournm.^t of the prov.^{ll} Court to be held y.^e 26.th of oct^r next iss.^d to the Respective Sheriffs to make proclamaçon threof that the Same Court be held the 16.th of Novemb^r next dated the 3.^d of September 1675

Cæcilius &^c To the Sheriff of Sommersett Co.^{ty} Greeting Whereas Complaint is made unto us that Henry Smith of your County merch^t is intended Speedily to depart this province & for that there p. 137
(fol. 171)

Liber C D is an action Commenced against him in our Provinciaall Court by James Whetcombe of Boston in New England merchant We do therefore Command you that you take the body of him the Said Henry Smith if found in your Bailywick & him Safe keep till he Enter into a Recognizance in our Court of Chancery wth Sufficient Sureties not to depart this province till he hath fully answe^d the s.^d Action Commenced against him in our Said provinciaall Court by the Said Whetcombe of this you are not to fail Wittness our Self at our City of S.^t maries the Seventh day of September in the 44.th year of our Dominion &c.^a Annoq Domini 1675 Ridgely p quer

Cæcilius &c To John Wright & mary his wife Greeting Whereas a Certain finall order & decree was made before us in our Court of Chan.^{ry} in these words following viz.^t The Court do hereby order & Decree that the S.^d John Wright do pay to the Comp.^{lt} as well the Sum of Eight thousand Six hundred Sixty Six pounds of Tobacco the Remainder of the Said Summe of fourteen thousand three hundred & Seventeen pounds of Tob^o as also the Sum of Six thousand pounds of Tobacco for his Costs & damages in this behalf Sustained w.^{ch} Said Summs in the whole do amount unto the Summe of fourteen thousand Six Hundred Sixty Six pounds of Tobacco to be by the Said John Wright paid to the Said Tobias Wells we do therefore firmly Enjoyn and Strictly Command you and either of you that you do well & Truely observe perform fullfill and keep all and Every the matters and things in the Said order or decree mentioned & Contained So farr forth as the Same do touch or concern you or either of you according to the Teno.^r and true meaning thereof Wittness o.^r Self the 4.th of march in the 43.th year &c.^a 1674

Cæcilius &c To John Wright Greeting We Command you that upon Sight hereof you pay unto Jonathan Hopkinson or the bearer hereof the Sum of three thousand five hundred pounds of Tobacco adjudged by our Justices of our Court of Chancery the Twelfth day of may last for you to pay for Costs of Suit in a Cause there depending between the Said Jonathan Comp.^{lt} & John Wright & Rich.^d Snowden def.^{ts} hereof you are not to fail under the pain Ensuing Wittness our Self &c

Tobias Wells attachm.^t ad viceCom: Kent ag.^t John Wright upon affidavit Lib: P. C. r 26.th Oct dat 8.th may 1675

Thomas Bland one of the Attornys of this Court maketh Oath that he this Depon.^t did upon the 27.th day of Ap.^h last personally Serve Edward Dorsey of the Co.^{ty} of Ann Arundell w.th a Subp.^a out of y.^e Co.^{rt} of Chan.^{ry} by Showing him y.^e Same under Seal &

delivering a Copy thereof to the S.^d Dorsey w.^{ch} Subpœna was for the s.^d Dorsey's appearance to answer unto the Bill of Complaint of the s.^d Thomas Bland & Damoris his wife in this Hon.^{ble} Court of Chancery the 4.th of may last past
 Tho: Bland

Sworn before me this 27.th day of July 1675

Phillip Calvert

Aug.^t the 30.th 1675

Attachm.^t then iss.^d to the Sheriff of Ann Arundell Co.^{ty} to attach y.^e s.^d Edward Dorsey for not answering y.^e Bill of Comp.^{lt} of the s.^d Thomas Bland & Damoris his wife r 26.th octob.^r next

Cæcilius &c.^a To Robert Dunne Gentl high Sheriff of Kent County (fol. 172)
 Greeting Whereas by a decree made before us in our Court of Chan.^{ry} in a Cause there depending Between Tobias Wells p.^{lt} & John Wright and Mary his wife Adm.^{rs} of Bartholomew Glevin

decd bearing date y.^e 12th day of may in the 43.th year of our Dominion &c the Cause Comeing then to be heard in the p^rsence of y.^e att^{ys} on both Sides the Comp.^{lts} Bill & Replicacon & y.^e def.^{ts} answer being openly Read & heard & by the Court Considered of the Co.^{rt} was Clearly Satisfied that the Quietus in the defend.^{ts} answers pleaded in Barr against the Comp.^{lts} Bill of Comp.^{lt} for the Sum of fourteen thousand three hundred and Seventeen pounds of Tob.^o due by Recognizance from the S.^d Bartholomew Glevin decd to the Comp.^{lt} was not a Sufficient discharge of the def.^{ts} ag.^t the Comp.^{lt} but that the Same ought first & primarily to be Satisfied before debts of a Lower nature & thereupon Examinacon of acc.^{ts} by the Court the def.^{ts} having produced Severall Bills notes & Receipts in discharge of the Said Sume to the value of the S^d Sum to the value of five thousand Six hundred & fifty one pounds of Tobacco & by y.^e Comp.^{lt} allowed of the Court did thereby order & decree that the s.^d John Wright & mary his wife do pay to the Comp.^{lt} as well the Sum of Eight thousand Six hundred Sixty Six pounds of Tobacco the Remainder of the Said Sume of fourteen thousand three hundred & Seventeen pounds of Tob.^o as also y.^e Sume of Six thousand pounds of Tobacco for his Costs and Damages in this behalf Sustained w.^{ch} S.^d Sums in the whole do amount unto the Sume of fourteen thousand Six hundred Sixty & Six pounds of Tobacco to be by the S.^d John Wright & Mary his wife paid to the S.^d Tobias Wells with w.^{ch} S^d Decree the s.^d John Wright & mary his wife had been divers times duely Served Demand Severall times made of the S.^d Sume of fourteen thousand Six hundred Sixty and Six pounds of Tobacco decreed as aforesaid Yet the s.^d Jn^o Wright & mary his wife had refused to pay y.^e Same or Give obedience to the S.^d Decree as by the affidavit thereof made may appear whereupon Severall process of Contempt issued out of our Said Court ag.^t the

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 (fol. 172)

Liber C D s^d John Wright and mary his wife to you directed to Inforce
 a p^rformance of the S.^d decree But before the said John Wright could
 be taken upon the Same he dyed after whose death an attachm.^t
 iss.^d out of the s.^d Court ag.^t the s.^d Mary alone the adm.^{rx} of Glevin
 being for the debt of Glevin upon w.^{ch} attachm.^t to you also directed
 you have Returned that you have taken y.^e Body of the s.^d mary &
 that She is Languishing in prison Whereupon the Justices of our
 Said Court did order that a Sequestra^{co}n Sho.^d issue ag.^t the Estate
 both Reall & personall of y.^e S^d Bartholomew Glevin & Jn.^o Wright
 then in the possession of the S.^d mary as well all the Lands & Tenem.^{ts}
 houses & plantacoⁿs as all the Goods & Chattells merchandizes
 Su^ms of money or Tobacco Servants Slaves Cattle hogs horses mares
 or other y.^e psonall Estate of them y.^e S^d Bartholomew Glevin &
 John Wright or either of them in the S.^d County of Kent w.^{ch} were
 in the possession of her the S.^d mary or any other for her use or by
 her Order Gift Grant or delivery or by the Order Gift Grant or
 delivery of y.^e S.^d Jn.^o Wright de^{ce}d Since y.^e date of the S.^d decree
 & that you Sev and Sequester y.^e Same into y.^r hands & y.^e p^rfits &
 proceed th^reof or of any p^r thereof ariseing by Sale th^reof you should
 deliver to y.^e S^d Tobias Wells in Satisfaction of y.^e S.^d 14666 pounds
 pounds of Tob.^o Decreed as af.^d as all his Costs & Charges by him
 Sustained in p^rsecuting the s.^d Decree & Damages for the non per-
 formance thereof & non paym.^t of the Tob.^o decreed Such & So much
 as our Justices of our s.^d Court Shall adjudge Reasonable you have-
 ing first Certified our S.^d Co.^{rt} of yo^r full & whole proceedings in the
 premisses We do therefore hereby Authorize & appoint you to Enter
 into Seize and take possession and into your hands & to Sequester
 as well all the Lands & Tenem.^{ts} houses & planta^{co}n^s w.^{ch} were
 late the Lands of the Said Bartholomew Glevin & John Wright or
 either of them in yo.^r County as also the Goods and Chattells mer-
 chandizes Su^ms of money or Tob.^o Servants Slaves Cattle hogs
 horses mares or other the personall Estate of the Said Bartholomew
 Glevin & Jn.^o Wright or either of them in yo.^r Co.^{ty} as af.^d w.^{ch} are
 in the possession of her the Said mary or any other for her use or
 by her order Gift Grant or delivery or by the order Gift Grant or
 delivery of the Said Jn.^o Wright de^{ce}d Since the date of the Said
 Decree And that you Sequester the profits or p^rceed thereof or of
 any p.^r thereof ariseing by the Sale thereof & deliver to the said
 Tobias Wells for Satisfaction of the Said Su^m of 14666 pounds
 of Tob.^o decreed as afores.^d & all his Costs and Charges by him
 Sustained in p^rsecuting of the S.^d decree & Damages for nonperfor-
 mance thereof & non paym.^t of the Tob.^o decreed Such & So much as
 our Justices of our Said Court shall adjudge reasonable you having
 first Certified in our Court af.^d of yo.^r full & whole proceedings
 in the premisses & what Lands Goods or Chattells & to what value

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 (fol. 172)

(fol. 173)

you Shall so Sequester & Seize as afores.^d & that you return Such yo.^r Certificate to us in our Court of Chan.^{ry} wheresoever it shall then be on the Eighth day of ffebruary next Together with this writt and hereof fail not at your peril Wittness our Self at our City of S.^t maries the 29.th day of December in y.^e 44.th year of our Dominion ov.^r our S.^d province Annoq̄ Domini 1675

Liber C D

Cæcilius &c To the Inhabitants of our s.^d province of maryland Greeting Whereas for Sev.^{ll} weighty & Urgent Occasions & affairs relating to our Self & the Estate & defence of o^r province We did hold a Gen.^{ll} Assembly at our City of S.^t maries the 27.th day of march 1671 w.^{ch} on y.^e 19.th day of Ap.^{ll} then next following for divers Considerations us thereunto moving We did prorogue untill the 10.th day of Octob.^r then next following & on y.^e 14.th day of the Same Octob.^r We did for Severall Reasons prorogue the Same Assembly untill the 15.th day of Oct.^r then next following w.^{ch} upon the 16.th day of Sept.^r then last past we for Severall reasons us thereunto moving did prorogue the Same untill the 6.th day of may Anno 1673 And for that the s.^d 6.th day of may when our Assembly Sho.^d Sit was then nigh at hand We did for divers Reasons us thereunto moving prorogue y.^e Same untill the 17.th day of may then next following & upon the 6.th day of June then next following we did prorogue the Same Assembly untill y.^e 29.th day of Sept.^r And whereas we did y.^e 15.th of Aug^t 1674 think fit to declare & publish that y.^e Same Gen.^{ll} Assembly Should be prorogued from the Said 29.th day of Sept.^r untill the 13.th day of Ap.^{ll} then next following & on the 14.th day of Oct.^r then next Ensueing declared & published to be no Longer prorogued then till y.^e 9.th day of ffeb.^{ry} then next following & on y.^e S.^d 9.th day of ffeb.^{ry} further published & declared for Sp.^{ll} Causes not to be held till y.^e 12.th day of y.^e Same ffebruary And Whereas we did upon y.^e 24.th day of y.^e Same month of ffeb.^{ry} prorogue y.^e Same Assembly untill y.^e 14.th day of ffeb.^{ry} now next coming And forasmuch as y.^e S.^d 14.th day of ffeb.^{ry} on w.^{ch} y.^e S.^d Assembly Sho.^d meet being now nigh at hand We do hereby for Sev.^{ll} urg^t Occasions lately Intervened Comānd o^r Sev.^{ll} Sheriffs of o.^r Respective Co^{ty}s that they do hereby publish & p^{re}lain y.^e we do purpose & Intend to hold y.^e Same Assembly upon y.^e Second Tuesday in Ap.^{ll} next Ensueing y.^e date hereof Wittness o^r Self at o.^r City of S.^t maries y.^e 11.th day of Jan.^{ry} in y.^e 44.th year of o.^r Dominion &c.^a Annoq̄ Domini 1675

The Like Writt issued to the Respective Sheriffs of

S. ^t mary's County	Calvert County	Baltimore County
Kent County	Talbot County	Ann Arundell County
Charles County	Cæcil County	Somerset County
		Dorchester Co. ^{ty}

Liber C D
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(fol. 174)

Cæcilius &c To the Sheriff of Cæcil County Greeting Whereas it appeareth in the Records for Land Remaining in our Secretarys office that by our Grant under our Great Seal of o.^r s.^d Province of mary^ld bearing date the 7.th day of January in the 28th year of our Dominion Annoq Domini 1659 Grant unto Cap.^t Thomas Howell now late deēd all that parcell of Land Called ffarley Lying on the East Side Chesepeake Bay on the South Side of a Creek Called ffindalls Creek Beginning at a marked Oake near the mouth of the s^d Creek Respecting the Land of Josias ffindall Esq to the East Running South South west down the Bay for breadth three hundred Twenty perches to a marked Oake by the Bay Side Bounding on the South by a line drawn East from the Said oake for Length three hundred & twenty pches on the East by a line drawn North North East for breadth Three hundred Twenty five pches untill it Intersects a paralell drawn from ffindalls Creek on the North by the Said Creek and paralell on the west by the s^d Bay Containing and Laid out for Six hundred & fifty acres more or Less And the Said Thomas Howell (as we are Informed haveing Surreptitiously obtained a patent for the said parcell of Land Contrary to our Conditions of plantation of our s^d Province We Comānd you that by Good & Lawfull men of yo^r Bailiwick you make known to the heirs of the s.^d Cap.^t Thomas Howell or the heirs of James Brown late deēd that they be before us in our Court of Chancery y.^e 8.th day of ffebruary next to Shew Cause if any they have wherefore the s.^d Letters patent of the Land af.^d made ought not to be Revoaked & adnulled & the Same into our hands be Seized & further to do & Receive what our S.^d Court Shall do or Grant to be done in this behalf And how you Shall Execute this precept you make known to our Said Court the day afores.^d & have you there this writt Wittness our Self at our City of S.^t maries y.^e 11th day of Jan.^{ry} in y.^e 44.th year of our Dominion &c Annoq Domini 1675

RC Thomas Sprigg Comp.^{lt} ag.^t Thomas Truman & Nathan.^{ll} Truman def.^{ts} Subp: to Testifie Thomas Gant Jn.^o Gittings Thomas Mountfort James Nuthall Jn.^o Nuthall & Charles Carat r 8.th ffeb:

S.^r Being not able to Give my attendance this first day of our Court I hereby request you to meet w.th y.^e usuall Number to make a Co.^{rt} & then to adjourn untill tomorrow morning nine of y.^e Clock to S.^t John's where I shall desire y.^e Court may be held by Reason of Some Little Indisposition of

Yo.^r affectionate Kinsman & Servant
Charles Calvert

8.th Feb: 1675 To the Hon.^{hl} W.^m Calvert Esq
Secretary of maryland

Liber C D

I doubt much whether there will be Enough of the Councill to
make a Court therefore if not it must be adjourned by writt

Yo.^r Servant
Charles Calvert

8.th ffeb: 1675

Cæcilius &^c To our Justices of our Provinciaall Court assigned
Greeting for Certain Causes us moveing We have Ordained that all
pleas writts Bills process & precepts & other things whatsoever w.th
before us this 8.th day of ffebruary Instant remain as well in Law as
Equity undetermined in our Said Provinciaall Court or at any other
days hereafter next following ought to be pleaded returned untill
the 9.th day this Instant month of ffebruary at our s.^d Provinciaall
Court at S.^t John's are adjourned to be heard & Tryed We therefore
Command you that all pleas Writts Bills precepts & other process
whatsoever either in Law or Equity before us at S.^t John's the 9.th
day of ffebruary by 9 of the Clock to be pleaded or Returned
depending undetermined or in the mean time Shall have days untill
the S.^d 9.th day of ffebruary without delay you adjourn or Cause to
be adjourned & the p.^{ties} in the Same pleas Writts Bills processe & pre-
cepts & other things whatsoever either in Law or Equity thereupon
you p^rfix the S.^d 9.th day of ffeb.^{ry} more Over Commanding all the
Sheriffs officers and other ministers whatsoever of our Said province
of maryland that everyone of them in their Custody detain all &
Singular the writts Bills process and precepts & things whatsoever
either in Law or Equity before us at S.^t Johns on the Said 9.th day
of ffebruary or any other days aforesaid or to be returned & them
at the Said 9.th day of ffebruary at s^t John's afores.^d you Cause to
be returnd so that on the Same 9.th day of ffebruary upon the
Same writts Bills process & precepts and other things whatsoever
to you returned you proceed and make the process thereupon as if
those writts Bills process & precepts & other the premises on the
S.^d 8.th day of ffebruary or any other day afores.^d without any
adjournm.^t were Wittness our Self at our City of S.^t maries y.^e 8.th
day of ffebruary in the 44.th year of our Dominion &c.^a Annoq
Dñi 1675.

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(fol. 175)

Cæcilius &^c To the Sheriffs of S.^t maries, Kent, Ann Arundell
Calvert, Charles, Baltemore, Talbot, Somersett, Dorchester & Cæcill
Countys Greeting We Command you that all & Singular our writts &
precepts to you delivered & before us this 8.th day of ffeb.^{ry} by you
to be returned you detain in yo.^r hands untill tomorrow morning at
9.th of the Clock And that you have them before us at our provinciaall
Court wth the Return & Executions of the Same that we may

Liber C D further proceed to the prosecution of the partys in the Same writts as of Right we shall think fitt to be done in this behalf & hereof you are to make proclamation that all persons Concerned may keep their day at 9.th of the Clock to morrow morning at S.^t John's Wittness our Self at our City of S.^t maries the 8.th day of ffebruary in the 44.th year of our Dominion &c.^a Annoq Dñi 1675

March the 3.^d 1675

Mandamus then issued to George Wells & Thomas Long of Baltemore County Gentl that by the Oaths of xij &c they Enquire what Lands W^m Thompson late of Baltemore County deēd dyed Seized of in Baltemore County &c ret 5.th Aprill 7 &

To the Hon.^{ble} the Lieuten.^t Gen.^{ll} of the Province of maryland

The Humble petition of John Muffett

Humbly Sheweth

That Whereas yo.^r pet.^r in the year of our Lord 1672 did purchase of one Robert Turner of Kent County a Certain parcell of Land Lying in Putuxent River Called Turners place Containing three hundred acres for w.^{ch} Said Land yo.^r pet.^r hath paid the Sumē of Two thousand ninety Six pounds of Tobacco in part of Six thousand pounds of Tob.^o the whole purchase But by reason that the Said Robert hath ever Since Lived in Kent County af.^d yo.^r pet.^r hath not obtained any Conveyance or other writinge Save only a meane assignm.^t of all his Right & Title unto the Said John muffett & his heirs for Ever upon the Backside of the Patent or Grant of the S.^d Land But for that the S.^d Robert Since dyed Intestate & without heir & y.^r pet.^r being Sensible that y.^e Said assignm.^t is not Sufficient in the Law to Confirm yo.^r pet.^{rs} Title of Inheritance he humbly prayeth that Enquiry may be made upon the S.^d Tract of Land And if the Same be found to be Escheated to the Right Hon.^{bl} the Lord Prop.^{ry} that yo.^r pet.^r paying the Remaind.^r of the Tobacco may have the S.^d Land Granted to him And as in Duty Bound he shall ever pray &c

26.th ffeb: 1675.

Ordered that a writt of Enquiry issue out touching the Land Specified in this Pet.ⁿ returnable at y.^e next Provinciaall Court

Charles Calvert

To the Hon.^{ble} W.^m Calvert Esq

Secretary of maryland

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(fol. 176) To the Hon.^{ble} the Lieu.^t Gen.^{ll} of the Province of maryland
The Humble Petition of Henry Tenlock.

Sheweth

That Whereas yo.^r Pet.^r in the year of our Lord 1670 did purchase of one Robert Turner of Kent Co^{ty} a Certain pcell of Land

Lying in Putuxent River Called Turners pasture Containing five hundred acres for w.^{ch} Said Land yo^r pet^r at Sev.ⁿ paym.^{ts} hath honestly paid & Satisfied for the whole purchase the full Sume of Thirteen thousand pounds of Tobacco but by reason the Said Turner did Live at So Great distance yo^r pet^r hath not obtained any Conveyance or other writing from the S.^d Turner whereby it may appear that yo^r pet.^r of the Said Land Save only one Bond for the Sum of fourteen thousand pounds of Tobacco w.^{ch} Condition for the acknowledgem.^t of all his Right & Title of the Land at a Calvert County Court to be holden on the third Tuesday in march last past unto yo^r pet^r & his heirs & assigns for Ever as by the Said writing more at Large appeareth But now So it is that the Said Robert Turner dyed Intestate and without any heir So that yo^r pet^r is left Remedyless to his utter Ruin and Destruction

Liber C D

Wherefore yo^r pet.^r humbly prayeth that Enquiry may be made upon the S.^d Tract of Land in usuall form & if y.^e Same be found escheated to the R.^t Hon.^{ble} the Ld Prop.^{ry} that then yo^r Ldp will be pleased to Grant y.^e Same unto yo^r pet.^r upon Such Reasonable Terms as y.^r Ldp Shall think fit in Charity to propose And yo.^r pet.^r as in duty Bound Shall ever pray &c

26.th feeb: 1675.

Ordered that a writt of Enquiry Issue out Touching the Land above menconed y.^e Said writt to be made Returnable y.^e next Prov.th Court

Ch: Calvert

To W.^m Calvert Esq^r Sec.^{ry} of maryland

26.th feeb: 1675

Mandamus then issued to Thomas Brooke & Roger Brooke of Calvert County Gent that by the oaths of xij &c they Enquire what Lands Rob^t Turner late of Kent Co.^{ty} decess dyed Seized of in Calvert Co.^{ty} Ret 5.th Aprill p &

March 6.th 1675

A melius Inquirend: then iss.^d to Jn.^o Stone & Thomas Hussey of Charles County Gent that by the Oaths of xij &c they Enquire how much three pcells of Land w.^{ch} Jn.^o Hutchinson late of Charles Co.^{ty} decess dyed Seized of are of value by the year &c Ret without delay

By virtue of a writt of mandamus to us directed bearing date the 25.th day of Novemb.^r in y.^e 41.th year of the Dominion of Cæcilius &c Annoq^{ue} Dñi 1673 These are in the name of the Right Hon.^{ble} the Lord prop.^{ry} to Comand you that you Cause Twelve Good & Lawfull men of yo^r Bailiwick that they make their psonall appearance at the house of m.^r John ffanning on the 16.th day of this Instant August then & there to Enquire what Lands & Tenem.^{ts} Jn.^o Hutchinson late of this Co.^{ty} held as of his Demeasne & of what issues & what the Said Lands are worth by the year & when the

Liber C D S^d Jn^o Hitchinson dyed & who is his next heir & for So doing this
 (fol. 177) Shall be yo.^r Warrant Given und.^r o^r Hands & Seals this 12.th day
 of August 1675 Henry Adams (seale)
 To the high Sheriff of Charles Tho.^s Mathews (seale)
 County or his Deputy

p. 143 On the Back Side of the foregoing warr.^t was written Viz.^t
 (fol. 177) By virtue of this Order directed to me from m^r Henry Adams and
 Thomas Mathews Gent I have Impannelled & Sworn Twelve Law-
 full & honest men of my Bailiwick whose names are under written
 this 16.th day of August 1675 p me Benj^a Rozer Sheriff

Robert Robins	Henry Barnes	James Muncaster
John Wheeler	Gerrard Brown	John Aubrey
Rich. ^d ffookes	Owen Jones	Roger Bowder
Tho: Cachston	John Gray	Christopher Warner

An Inquisition Indented & taken at Nanjemý in Charles County
 this 16.th day of Aug.^t in the 44.th year of the Dominion of Cæcilius
 absolute Lord & Prop.^{ry} of the Provinces of maryland & Avalon
 Lord Baron of Baltemore &c & in the year of our Lord 1675 before
 Henry Adams & Thomas Mathews Gent by virtue of a Commission
 in the nature of a writt of mandamus to them directed & to this
 Inquisition Annexed to Enquire after the death of John Hitchinson
 late of Charles Co^{ty} deçed by the Oaths of Robert Robins John
 Wheeler, Richard ffookes; Tho: Cachston Henry Barnes Gerrard
 Brown Owen Jones, John Gray, James Munchister, John Aubrey,
 Roger Bowder & Christopher Warner w.^{ch} Jurors upon their
 Oaths Saith that John Hitchinson was Seized in his Demeasne as
 of ffee in the day of w.^{ch} he dyed viz.^t the 18.th or 19.th day of
 Decemb.^r Anno. 1668 of three hundred acres of Land Lying Scitu-
 ate & being at Nanjemý in the Co.^{ty} of Charles Co.^{ty} Commonly
 known & Called by the name of Woodberries Harbo.^r To be held of
 Zachiah manno.^r paying therefore yearly unto the Right Hon.^{b^{le}}
 the Lord Prop.^{ry} of this province or his heirs the Sum of Six
 Shillings Sterling p Annum or the Value thereof in Such Goods &
 Commodities as the Receiv.^r or Collecto.^r appointed by the Lord
 Prop.^{ry} or his heirs Shall accept in discharge thereof as doth appear
 by a Patent Remaining upon the Records of this Province in the
 Sec^{ry} office thereof Granted to James Lee bearing date the 9.th of
 Oct^r 1667 to w.^{ch} Said Tract of Land We the Jurors of the s^d Jury
 find to be Confirmed to the Said John Hitchinson by morgan Jones
 by a Certain Indenture bearing date y.^e 10.th day of June A.^o 1667 &
 acknowledged by the Said morgan Jones unto y S^d Jn.^o Hitchinson
 in his life time at a Court held in Charles Co.^{ty} for the R.^t Hon.^{b^{le}}
 the Lord Prop.^{ry} on the 11.th day of June 1667 as will appear by the
 Records of the Said County Court & also we the Juro^{rs} do find that
 there was Two hund.^d acres of Land Lying Scituate & being at

Liber C D

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Nanjemy in the Co.^{ty} af.^d Commonly known & Called by the name of Hitchinson's Hope Cont.^a Two hundred acres to be held of Pangaya manno.^r paying therefore yearly to the Lord Prop.^{ty} or his heirs the Summe of four Shillings Sterl p Annum or the value thereof in Such Commodities as the Receiv.^r or Collect.^r appointed by the Lord prop.^{ty} or his heirs Shall accept in discharge therefore as doth appear p patent remaining upon Record in the Sec^{rys} Office Granted to the Said John Hitchinson bearing date y.^e 26.th Novemb.^r 1667 And we the Juro.^{rs} do find that the Said pcells or Tracts of Land is & hath been in y.^e possession of m^r John Allen Since the death of the Said John Hitchinson by the order of his Ex.^{cy} Charles Calvert Esq Cap.^t Gen.^{ll} & Governo.^r of Maryland by the Confession of the Said John Allen And we Juro.^{rs} further find that there was two hundred acres of Land Commonly known & Called by the name of Wicksall Lying Scituate & being at Chingomuxon in Charles Co.^{ty} afores.^d To be held of Pangayah manno^r Paying yearly therefore to the Lord Prop.^{ty} or his heirs the Summe of four Shillings Sterl or y.^e value thereof in Such Goods & Commodities as the Receiver or Collecto.^r of the Lord Prop.^{ty} or his heirs Shall accept in discharge thereof But we the S^d Juro.^{rs} of the s.^d Jury are altogether Ignorant & Cannot have any Information by whom the S.^d tract of Land hath been Enjoyed Since the Death of the Said John Hitchinson w.^{ch} Said three pcells of Land we the Juro.^{rs} of the Said Jury do Say were in the possession of the s.^d Jn^o Hitchinson at the time of his Death And that he dyed possessed of the Same And further we the Jurors of the S^d Jury do Say that the s.^d John Hitchinson dyed Intestate & without any heir according to the best Informa^{co}n we can Get And that the s.^d John Hitchinson at the time of his Death was Seized in his Demeasne as of ffee of the Said three Tracts of Land in the patents men^oned were held & are held of the R.^t Hon.^{ble} the Lord Prop.^{ty} y.^e first Cont^a three hund.^d acres of his manno.^r of Zachaiah & the other Two of Two hundred acres apiece of his manno.^r of Pangaya in free & Common Soccage by fealty only for all Services Yeilding & paying therefore yearly for the afores.^d three Tracts of Land to us or our heirs at the usuall Receipt of S.^t maries fourteen Shillings Sterling at the Nativity of our Lord To w.^{ch} Inquisition We the Jurors aboves.^d have hereunto Set their hands & Seals in the presence of Henry Adams & Thomas Mathews Gent the day & year above written

Henry Adamssealed	Gerrard Brownsealed
Tho: mathewssealed	Owen Jonessealed
Rob. ^t Robinssealed	Jn ^o I Graysealed
John W Wheelersealed	James Mankistersealed
Rich. ^d fflowkesealed	John Auberysealed
Tho C Crackstonsealed	Roger Bowdersealed
Hen: H Barnessealed	Christ ^r Warnersealed

Liber C D Maryland ss.

Ch: Baltimore

p. 145
(fol. 179)

These are to Authorize and Require you that Immediately upon the Receipt hereof to Call together four or more of the Commission.^{rs} of yo.^r Co.^{ty} with the Clerke who are hereby required to Sit as a Court & during their Sitting by virtue of yo.^r office to make or Cause to be made Publick proclamation thereby Giving notice to all the ffreemen of the Said Co.^{ty} who have within the S.^d County visible Seated Plantations of fifty acres of Land at least or visible psonall Estates to the value of forty p.^{ds} Sterl at the least requiring them to appear at the next County Court to be holden for yo.^r County at a Certain day in the month next following after Such proclamation made for the Electing & Chuseing of Deputies & Delegates to Serve for yo.^r Co.^{ty} in a Gen.^{ll} Assembly To be holden at the City of S.^t maries the 15th day of may next Ensueing the date hereof at which time of Proclamation afores.^d the Said ffreemen So Required to appear or the major part of Such of them as Shall then appear Shall & may & are hereby Authorized and Required to Elect & Chuse four Severall & Sufficient ffreemen of yo.^r County each of them having a visible Seated plantation of fifty acres of Land at the least or a visible psonall Estate of forty pounds Sterl at least within yo.^r Co.^{ty} And you Shall Give Authority to each of them Severally and Respectively by four Severall & Respective Indentured under their hands and Seals to be Deputies & Delegates for yo.^r Co.^{ty} and to appear & Serve as Deputys & Delegates for your Co.^{ty} at the S.^d Next Gen.^{ll} Assembly in Case they Shall be thereunto Summoned by a particular writt for that purpose to be directed to them from the Lord Prop.^{ty} of this province for the time being And to do & Consent to those things w.^{ch} then by the favour of God Shall there happen to be Ordained by the Lord Prop.^{ty} or his Cap.^t Gen.^{ll} with the advice & Consent of the Great Council of this province concerning Such Occasions & affairs as Shall relate to the Governm.^t State & defence of this pvince w.^{ch} Said Indentures Shall be Between you the Said Sheriff of the one part & the S.^d ffreemen Electing on the other part & Shall bear date the Same day upon which the S.^d Election Shall be made & Shall mencon the time & places of Such Election & the psons So Elected & Shall be Signed & Sealed each p.^t of them as well by you the Sheriff as by the Said ffreemen by whom the Said Election Shall be under And that upon Such Election you the Sheriff Shall So Soon as Conveniently may be Certife & Transmitt to the Chancello.^r of this Province for the time being one part of the Said Severall & Respective Indentures Close Sealed up under your hand & Seal & directed to the Lord Prop.^{ty} of this province & also to the s.^d Cha d the other part of the Said Indentures you are to keep Justification

Given under our hand the Lesser Se province the Second Liber C D
day of march in the first year of nion &c Annoq Dñ 1675

To Clem.^t Hill high Sheriff of S.^t marys County

Eodem die

The like warrant then issued to the respective Sheriffs of Each
Respective County of this Province

march 20th 1675

Mandamus then issued to John Douglas & Rob.^t Henly of Charles
County Gent that by the Oaths of xij &c they Enquire what Lands
Tho. Peirce dyed Seized of in Charles County & ret without delay

RC Tho.^s Sprigg Comp.^{lt} ag.^t Tho.^s Truman &c Nathan.^{ll}
Truman def.^{ts} Sup.^a to Testifie Ja.^s Nuthall, Jn.^o Nuthall Tho: Gant &
Cha: Cavat r^t 4th Aprill

RC. Subp.^a Ignatius mathews Jane Mathews, W.^m Boreman
& mary his wife to Answer a Bill in Chan.^{ry} at y.^e Suit of W.^m
Gwither r^t 4th Ap^{ll} next R Carvile p Comp^{lt}

RC Subp.^a Tho.^s Sparrow Sol.^o Sparrow & Eliz.^a Sparrow
to Answ.^r a Bill in Chan.^{ry} at y^e Suit of Tho.^s ffrancis r^t 4.th Aprill
1676 R: Carvile p Comp^{its}

IR: Subp.^a James Nuthall & R.^d Carleton to Testifie for
Tho: Truman & Nathan.^{ll} Truman def.^{ts} at the Suit of Tho.^s Sprigg
Comp.^{lt} r^t 4.th Ap.^{ll} 1676

II: Writt of Replevin for Josias ffindall ag^t James Neale
Sen.^r for 2500^{ll} Tob & 22 Barrells of Corn detained by the Said
Neale directed to the Sheriff of Ch: Co.^{ty} r^t 4.th Aprill 1676

IR Jn.^o Rousby adm.^r of the Goods & Chattells of ffrancis (fol. 180)
Allen deēd ne Exeat Provinciam ag^t Hen: Tripp Test 21.th ffeb: r^t
24th Aprill 1676

RC Sub.^a Mathew Ward W.^m Bishop & Rob.^t Macklin to p. 146
Answer a Bill in Chan.^{ry} at the Suit of Joseph Wicks and John (fol. 180)
Hinson r^t 4.th Aprill 1676 Test march the 3.^d p^o Anno Caroli 1675

On the 3.^d day of march in the first year of the Dominion of
Charles &c Annoq Dñi 1675 was Morgan Jones Sworn Dep.^{ty}
Sheriff of the Co.^{ty} of S.^t marys ut in fol 8

Charles &c To the Sheriff of S.^t maries Co.^{ty} Greeting Whereas
it appeareth in the Records Remaining in o.^r Sec^{ry}s office at the City

Liber C D of S.^t m. that Cæcilius of noble memory late absolute Lord Prop.^{ry} of the Provinces of maryland & Avalon Lord Baron of Baltemore &c did Grant under the Great Seal of our S.^d P: of M: y^e 5.th day of Oct.^r Anno 1650 unto Cap.^t Jn.^o Price late deēd a pcell of land Lying on the West Side of S.^t George's River & on the East Side Wickliffs Creek Cont.^a three hundred acres more or Less w.th Said Grant of the s.^d parcell of Land we are Sithence Informed the S.^d Jn.^o Price hath unjustly & Surreptitiously obtained We therefore Command you that you make known by Good & Lawfull men of yo.^r Baillywick unto Kenelm Cheseldyne who p'tends Right to the p'misses & is in possession yreof that he be & personally appear before us in our Court of Can.^{ry} the 4.th day of Aprill next to show Cause if any he have why the Said Grant ought not to be adnulled & made void upon Record and the Said Kenelm from the possession of the premisses be amoved & the Same Land & p'misses into our hands be Seized & hereof you are not to fail at your peril and have you there this writt Wittness &c 3.^d march in the first year &c Annoq̄ Domini 1675

Subp.^a John Bullett to Testifie for Kenelm Cheseldyne upon the above sci the R.^t Hon.^{ble} the Lord Prop.^{ry} r^t Ap.^{ll} 1676

PS Edward writt of Replevin for a man Servant by name of Jn.^o Tosse Calvert ag^t Jn.^o Athey Ret 4.th Ap.^{ll} 1676 dat 24th march

KC Superse Com S.^t maries for John Blackiston of a Judgm.^t obtained ag.^t y John Tennison for 450^{ll} Tob: damages & Costs of Suit at a lower marys Co: held y.^e 1.st Tuesday in Jan.^{ry} last dat 18th ffeb. last

Charles &c To the Sheriff of Talb.^t Co.^{ty} Greeting Whereas our Dear father Cæcilius of noble memory the 15.th of ffeb: in the 28.th year of his Dominion &a Annoq̄ Dom 1659 did by his Patent und.^r y^e Great Seal of our Province of maryland Grant unto Cap^t Sam.^{ll} Pensax of London mariner by y.^e name of Sam.^{ll} Pensax a tract of Land Lying on the East Side of Chesepeake bay & on y.^e west Side of a River in the s.^d Bay Called Chester River & on the north Side of a Creek in the S.^d Riv.^r Called Broadnoux Creek Cont.^a one thousand acres more or Less & the Same Erected into a manno.^{ts} by the name of Stepenheath And Whereas we are Informed that y^e Said Tract of Land is Sithence become Escheated unto us for non paym.^t of the Rent Reserved in the S.^d Grant Specified We Comānd you that you make known to the s.^d Sam.^{ll} Pensax or y^e Ten.^{ts} or Occupiers of the S.^d Land that they be & appear before us at our next Provinciaall Court to Shew Cause if any they have why y^e S.^d

Grant ought not to be made void upon Record & the Same Revoaked Liber C D
 Evacuuated adnulled & for void & Invalid had & Esteemed Wittness
 o.^r Self & c march y.^e 24.th in the first year & c Annoq̄ Dñi 1675

Charles & c To the mayo.^r Recorder Aldermen & Common Council
 of the City of S.^t maries Greeting, Whereas by the advice & Consent
 of our Council we have Determined to hold an Assembly of the p. 147
 ffreemen of our Province on the 15.th of may next Ensueing the (fol. 180)
 date hereof there to Consider of Certain things concerning the
 State & welfare of our S.^d province of maryland We Comand you
 the Said mayo.^r Recorder aldermen & Common Council that Ime-
 diately after Receipt hereof you Cause to be Elected two discreet
 Citizens to Serve as Delegates for the Said City in the Said Assembly (fol. 181)
 there to do and Consent to Such things as by Common Consent
 Shall happen to be Ordained & Enacted in the businesses afores.^d
 So that for want of Sufficent power or inconsiderate Election of
 the af.^d Delegates y.^e Busienesses af.^d may not remain undone or
 neglected & make your return of this writt into our Chan.^{ry} w.th
 all Conven.^t Speed w.th y.^e names of the s^d Citizens Elected to be
 delegates for the Said City as afores.^d Given at our City of S.^t marys
 under our Great Seal of our Said province the 14.th day of Aprill
 in the first year of our Dominion & c^a Annoq̄ Dom 1676

Crecilius & c To the Sheriff of Charles County Greeting Whercas
 Complaint is made unto us by Geo: Ramsden & John Parkins of the
 Kingdom of England merch.^{ts} that Richard Ambrose late of Charles
 Co.^{ty} merch.^t & John Harrison of the Same Co.^{ty} mariner Stands
 Indebted unto the Said George Ramsden & John Parkins the Sume
 of Sixteen hundred pounds Sterl and Whereas the S.^d Geo: Rams-
 den & Jn^o Parkins have comēced their aēon in our Prov.^{ll} Court
 ag^t the s^d R^d Ambrose & y.^e S.^d Jn.^o Harrison for Recovering the
 s.^d debt of Sixteen hundred p.^{ds} Sterl And that they the S.^d Rich.^d
 Ambrose and John Harrison are upon Departure out of this province
 & may depart before they have answered the s.^d aēon as af.^d brought
 & thereby no redress or relief can be had for them the s.^d Geo:
 Ramsden Parkins These are therefore to require you that
 you take ys of them the s.^d Rich.^d Ambrose & Jn^o Har-
 rison if found within Bailywick and them Safely keep till
 they have Entred into izeance with Sufficent Sureties to
 Court to pay to the s^d debt of Sixteen hundred p.^{ds}
 Sterl with Costs of Suit if they Shall be Cast in y.^e S.^d Suit to do &
 pform wh Shall do & determine yrein and hereof fail
 not at yo.^r pe you make return of the Execuēon of
 this writt into our Chan 20.th of Aprill next wheresoever
 it Shall then be Wittness elf & c the 20.th feeb: 1674

RC Ne Exeat Prov
 Thurston ađs Benoni Eaton

Com Baltemore ag^t Tho^s
 r^t 22.th may p &

Liber C D Charles &c.^a To the Sheriff of Calvert County Greeting Whereas one John Newton mariner his Certain Bond or writing obligatory under his hand & Seal bearing date the 27.th day of march 1676 became bound to us in the penall Summe of one hundred thousand p.^{ds} of Tob.^o wth Condiçion there under written for paym.^t unto us of the Summe of forty nine thousand ninety Six pounds of Tob.^o upon demand & Whereas we have by our Attorney Gen.^{ll} Comēnced an açon in our provinciall Co.^{rt} ag.^t the Said Newton for Recovering the s.^d debt of one hundred thousand p.^{ds} of Tob.^o w.^{ch} the s.^d Jn.^o Newton hath not p.^d or Satisfied though the ten Re-quired And Whereas y^e Said Jn.^o Newton is upon departure out of this province & may depart before he hath answered the Said action as afores.^d brought & thereby no Redress or Relief can be had for us These are therefore to require you that you take the Body of him the Said John Newton if found within your Bailywick and him Safe keep till he hath Entered into Recognizance with Sufficient Suretys to our S^d Co.^{rt} to pay to us the s.^d debt of one hundred thousand pounds of Tob.^o with Costs of Suit if he Shall be Cast in the Said Suit & to do & p^rform what our s.^d Co.^{rt} Shall do & determine y^rein & hereof &c Wittness our Self &c 19th Apr r^t 22 may

p. 148
(fol. 181)

(fol. 182) m.^r Sec.^{ry}

19.th Aprill 1676

I have Given order to m.^r Richard Ladd to dem.^d of you a writt of Mandamus to Enquire whether there be any heirs of Joseph Horsley to whom Y^e Land w.^{ch} the S.^d Ladd Lives on did form^{ly} belong to, I Pray Cause yo.^r Clke to dispatch the Busieness for m.^r Ladd

To the Hon.^{ble} W.^m Calvert Esq^p
Sec.^{ry} at the office
Post Script

Yo^r Loveing kinsman
Ch: Baltimore

You may direct the Commission to m^r Sam^{ll} Boarne & m^r Geo: Parker

April 19th 1676

Mandamus then issued to Sam^{ll} Boarne & Geo: Parker of Calvert Co.^{ty} Gent that by the Oath of xij &c they Enquire what Lands Joseph Horsey dyed Seized of in Calvert Co.^{ty} r^t 22.th may p &

17.th Aprill 1676 m^r Blomfield

My Lord desires you to give the bearer m^r Tho: Taylor a Commission for the Sheriff's place of Dorchester Co.^{ty} he having Given Bond already to my Lord for the p^rformance of his Sheriff's place this by his L^{pps} Comand is all at p^rsent from
To m^r Jn^o Blomfield at the Sec.^{ry}s office Yo^r

to Serve you
Nic: Sewell

Aprill 17.th 1676

Comiſſion for Sheriff of Dorcheſt^r Co.^{ty} then iſſ.^d to Tho^s
Taylor Gent w.th writt of aſſiſtance & diſcharge to Daniell Clerke
late high Sheriff of the Same County ut eſt mutat mutand: fol 67.

Ap.^{ll} 12.th 1676

Comiſſion for Sheriff of Balt.^e Co.^{ty} then iſſ.^d to Tho: Long
Gent w.th writt of aſſiſtance & diſcharge to Samuell Boston late
high Sheriff of the ſame Conty ut eſt mutat mutand: fol 67

Eodem die

Comiſſion for Sheriff of Ann Arundell Co.^{ty} then iſſ.^d to John
Welſh Gent of aſſiſtance & diſcharge to Henry Stockett
late high Sheriff of y^e ſame Co.^{ty} ut eſt mutat mutand: fol 67

Eod. die

Sci: fa^e then iſſued Kent to make known to
Sam^{ll} Pensax &c.^a ut eſt fol 146

Eod: die

Mandamus then iſſ.^d Carvile & Walter Hall of S.^t
mar. Co.^{ty} Gent that by the Oaths of xij &c Enquire what
Lands John Reynolds dyed Seized of in S.^t marys Co.^{ty}

May 2.^d 1676

Mandamus then iſſ.^d to Doyne of Cha: Co.^{ty}
Gent that by y^e Oaths of xij &c they dilige quire what
Lands W^m Gardner dyed Seized of in Charles County r^t 22
p &

Writt of Sequeſtracon iſſ.^d ad vic Kent for Mary Wells
adm.^r of Tobias Wells deſed ag.^t mary Wright Adm.^r of Jn^o Wright
deſed ut fol 137 Tes.^t 15.th ap^{ll} r^t 29.th may p &

R: R Subp.^a George ffulford & Edward Leach to answ.^r a
Bill in Chancery at the Suit of Thomas Peighen ret Immediate

R: R: Subp.^a Thomas Taylor & Thomas Pattiſon to answer
a Bill in Chan.^{ry} at the Suit of Jn.^o Richardson r^t 28: mb.^r p &

may 29.th 1676

Let a mandamus iſſue to [Jonathan Sy]brey & W.^m Peirce to En-
quire what Land Mathias Cornelius dyed at the time of his
Death & Baltimore

(fol. 183)

Liber CD may 30th

p. 149
(fol. 183)

Mandamus then issued to m.^r Jonathan Sybrey & W.^m Peirce of Cæcil Co^{ty} that by the oaths of xij &c they Enquire what Lands mathias Cornelius dyed Seized of in Cæcil County 1st 28.th November 7 &

June 17.th 1676

Sci: fa then issued ad vic Com Kent to make known to Sam.^{ll} Pensax &c ut est fol 146

Commission for Sheriff of Cæcil County issued to Charles James Gent wth writt of assistance & discharge to Edw.^d Pynn late Sheriff of the Same County ut est mutat mutand fol 67

Comiss.ⁿ for Coroner of the Same Co^{ty} issued to the Said Charles James

June 15th 1676

Commission for Sheriff of Cæcil County then iss.^d to Jonathan Sybrey Gent with writt of assistance & discharge les James late high Sheriff of the Same County

Eodem die

Commission for Sheriff of Kent County Thomas
marsh Gent with writt of assistance

Eodem die

Commission for Sheriff of Calvert County Henry
Darnall with writt of assistance

Upper House may 31.th 16

Ordered that a writt of mandamus do fo from the
Sec^{rys} office to Enquire concerning the Title of a Certa
on w.^{ch} the Court house in Cæcil County is Built

[Ch:] Baltimore

Charles &c To Augustine Herman & Jo &c
Whereas by a Certain Act of Assembly [Prov]ince of
maryland y.^e Com.^r of Cæcil County were appointed to
e a prison to be Built in the most Convenient place
to them Should Seem meet and Whereas we are
Com.^{rs} have Erected & built a Court house & prison
upon a Certain parcell of Land Lying on the north of Sasafrax
River And forasmuch as it is unknown to us who the Right
owner of the Same Land We Command you that by the oath of
xij Good & Lawfull men of our Said County of Cæcill you diligently

Enquire who is the Right owner of the Said Land & how much the Same Contains, & who ever was possessed of the Same & by what Tittl how & in what manner they had held or Enjoyed the Same ret 28.th Novemb.^r dated 31.th may 1676 Liber C D

Let a writt of mandamus issue out to the plantacon late in the possession of Sam.ⁿ Cressey deſced

Ch: Baltemore

may 27.th 1676

Mandamus then issued [to Henry Adams & Ign]atius Causeene of Charles Co.^{ty} Gent that [en]quire what Lands Sam.ⁿ Cressey in Rig[ht] [form]erly Called Susanna Robinson the Relict Said Co.^{ty} deſced dyed Seized of in Charles Cou.

June 9.th 1676

Mandamus then issued to Henry [Adams] & Ignatius Causeene of Charles Co.^{ty} Gent that by the Oaths of xij &c they Enquire what Lands George Robinson the Son of W.^m Robinson late of Cha Co.^{ty} deſced dyed Seized of in the S.^d Co.^{ty} ret without delay

Charles &c To the Coſſiſſion.^{rs} of Cæcil County Greeting because in the Record & process as also in the Rendring of Judgm.^t ag.^t y^e Estate of Thomas Howell deſced at y^e request of George Wells before you in our s^d Court of Cæcil Co.^{ty} manifest Errors hath happened to the Great damage of John Howell Ex.^r of the last will & Testam.^t of the S.^d Tho: Howell as by the Great Comp.^{lt} of the s.^d John Howell have Reced we willing that the Errors (if any be) Should due manner be Corrected & full & Speedy Justice to be done to the said partys in this behalf, We Command you that if Judgm.^t be Rendered then the Record & process of the Judgment afores.^d with all things touching and Concerning the Same to us before our Justices of our Provinciaill Court to be holden at our City of S.^t marys the 28.th day of Novemb.^r next Ensuing under yo.^r hands & Seals distinctly & openly you Send y.^t Inspection being had of the Record & proceedings therein We may Cause further to be done what of Right & according to the Laws & Constitution of this our province ought to be done therein And that you Cause the Said George Wells to be Summoned to be then & there to hear the Same And also that you have there this Writt Wittness &c 24.th August in the first year &c 1676 p. 150
(fol. 184)

Charles &c To the Sheriff of Cæcil County Greeting because in the Record [& pr]ocess as also in the Rendring of Judgment and Gra[n]ting Execu[ti]on thereupon ag.^t the Estate of Tho.^s Howell deſced at [the request of] George Wells manifest Error hath

Edmondson & mary Tilghman Ex.^{rs} of the Last will & Testam.^t of Richard Tilghman decd w.^{ch} S.^d Jn.^o Edmondson and Richard Tilghman were Sureties for the Said Ralph Blackhall before our Justices of our Provinciaall Court manifest Error hath happened to the Grievous damage of the S.^d Jn.^o Edmondson & mary Tilghman Ex.^{ds} as afores.^d as out of their Complaint we have accepted the Record and process of w.^{ch} Said Judgm.^t thereupon before us in our upper house of Assembly at our City of S.^t marys y^e Second day of June next Ensuing for Certain Causes we have Caused to Come & we being willing the Errors if any be Should in due manner be Corrected & full & Speedy Justice to be done to the Said parties in this behalf We Command you that by honest & Lawfull men of yo.^r Bailywick you make known to the Said John Quigley that he be before us at the day & place afores.^d in our Said upper house of Assembly to hear the Record afores.^d if to him it Shall Seem Expedient & further to Stand to & abide what our Said upper house of Assembly Shall Consider of in that behalf & have y.^u there this writt Wittness &c.^a 29.th may in the first year &.^a 1676

Liber C D
p. 151
(fol. 185)

RR To the R.^t Hon.^{ble} the Lord Prop.^{ty} Ne Exeat Provinciam ag.^t W^m Dare dated 10.th July r^t Immediate

Charles &c To John Code of S.^t maries County Gentl Greeting Whereas the freemen of our s^d Co.^{ty} have Elected you to be their Dep.^{ty} & Delegate & to be the Dep.^{ty} & Delegate of our S.^d County & to appear & Serve for the S.^d Co.^{ty} as Dep.^{ty} and Delegate for the Same in Such Gen^l Assembly as Shall happen to be Called by us our heirs or Successo.^{rs} & Lords & prop^{rys} of our Said province in Case you Shall be Summoned by a particular writt to that purpose directed to you by us our heirs or Successo.^{rs} And to do & Consent to those things w.^{ch} by the favour of God Shall happen to be done & Ordained by us by the advice & Consent of o^r Great Council of our S.^d province concerning Such occasions & affairs as Shall relate to us or to the State or defence of our Said province And whereas we have appointed munday the Second day of October next Ensuing the date hereof to meet our s^d Council & the Deputys and delegates of our Said province at the house of John Griggs in Calvert County then & there to assess the publick Levy of this Province by Equall assessm.^t upon the Inhabitants of our Said province for this p^rsent year We do Will & Command you that all Excuses whatsoever Set apart you be & p^rsonally appear at the day & place afores.^d to do and Consent to those things w.^{ch} then Shall happen to be done or Ordained by us by the advice & Consent of our Said Councell And this you may in no wise omitt under the peril thereupon Ensuing Wittness our Self &c June 27.th pr.^o Anno 1676

Liber C D

The like writt issued to

Robert Carvile to be delegate for the City of S.^t marys
 John Douglas for Charles County
 Thomas Brooke for Calvert County
 Joseph Wickes for Kent County
 Coll.^o W.^m Burges for Ann Arundell Co.^{ty}
 John Stansby for Baltemore County
 James ffrisby for Cæcil County
 Jn.^o Edmondson for Talbot County
 Jn.^o Stevens for Dorchester County
 W.^m Stevens for Sommersett County

Commissions to be Coron.^{rs} of S.^t marys Co.^{ty} iss.^d 27.th June
 1676 to

{ Walter Hall	{ Joshua Doyne
{ William Hatton	{ Richard Gardener

p. 152
 (fol. 186) Aug.^t 11.th 1676

Commission then issued to John Jourdain to be one of the
 Coron.^{rs} for S.^t marys County

RR John Hyland writt of Replevin for one Black mare five
 Cows & two Calves ad vir Com Cæcil ag.^t Henry Ward date 4.th
 July ret 28.th November p &

On the Backside of a writt of mandamus bearing date y^e 27.th of
 may in y.^e first year of y.^e Dominion of Charles &^c Annoq Dom
 1676 directed to Henry Adams & Ignatius Causeen of Cha Co.^{ty}
 Gentl Diligently to Enquire by the Oaths of 12 &^c what lands Samuell
 Cressey late of Charles County deēd dyed Seized of at y.^e time of
 his Death in Right of his wife Susanna formerly Called Susanna
 Robinson y.^e Relict of W.^m Robinson late of the s^d County deēd in
 the Said County of Charles &^c was written Viz.^t

This writt was Executed the first day of June p us whose names
 are hereunder written

Henry Adams
 Ignatius Causin

An Inquisition Indented & Taken at the house of Samuell Cressey
 late of Charles Co.^{ty} deēd near the mouth of Portobacco Creek in
 the Co.^{ty} afores.^d this first day of June in the first year of the
 Dominion of Charles Absolute Lord & Prop.^{ty} of the Provinces of
 maryland & Avalon Lord Baron of Baltemore &c & in the year
 of our Lord 1676 before Henry Adams & Ignatius Causin Gent
 By virtue of a Commission in y.^e nature of a writt of mandamus
 to them directed & to this Inquisition annexed to Enquire after the
 Death of Samuell Cressey late of Charles Co.^{ty} dec.^d of what Lands

he dyed Seized of at the time of his Death in Right of his wife Liber C D
 Susanna formerly Called Susanna Robinson the Relict of W^m
 Robinson late of the S.^d County de^d by the Oaths of Tho.^s Baker
 Richard Dodd, Tho. Pope, Tho: Helgar, John Court, John Barker,
 Jn^o Bouchier, marke Lampton, Phillip Mason, ffran: Adams Rob.^t
 Inglesby & W.^m Ward w^{ch} Juro.^{rs} upon their Oaths Saith that
 Samuell Cressey did not dye Seized of any Lands in Right of his
 wife Susanna y^e Relicts of W^m Robinson upon y.^e day of w.^{ch} he
 dyed Viz.^t upon 27.th day of Jan.^{ry} in y.^e year of our Lord 1675 &
 Susanna his wife dyed upon the 20.th day of the af.^d month in the
 year af.^d And at the time of the Death of the s.^d Susanna the Relict
 of W.^m Robinson, that Geo: Robinson y^e Son & heir of W.^m Robin-
 son af.^d was liveing who dyed the 26th day of Jan.^{ry} in y.^e year af.^d
 therefore we Jurors upon our Oaths Saith that the s.^d Sam^{ll} Cressey
 in Right of his wife Susanna the Relict of W.^m Robinson did not
 dye possest of any Land, but we find that W.^m Robinson dyed
 possest of a Tract of Land Lying on the north Side of Potomock
 River Cont.^a about one hund.^d & fifty acres & Geo: Robinson y.^e
 Son & heir of W.^m Robinson being de^d We do not find any heir
 of W.^m Robinson & of what manno.^r the s.^d tract of Land is holden
 & under what Rents & Services We Jurors are altogether Ignorant
 And further We Juro.^{rs} do humbly Conceive that y.^e S.^d Tract of
 Land is of value & y.^e year in all issues is four hund.^d p.^{ds} of Tob.^o
 p añum And further we Juro.^{rs} do find that the S.^d tract of Land
 hath been in y.^e possession of Sam.^{ll} Cressey Since y.^e Death of y.^e
 S.^d W.^m Robinson as marrying Susanna his Relict & Since y.^e
 death of y.^e Said Sam.^{ll} Cressey & Susanna his wife y.^e S.^d Land
 hath been in y.^e possession of Rich.^d Edelen Adm.^r to y.^e Said Sam.^{ll}
 Cressey In Testimony whereof y.^e Com.^{rs} as well as y.^e Juro.^{rs} have
 hereunto Set their hands & Seals y.^e day & year above written

Henry Adams sealed

Ignatius Causin sealed

Tho: Baker Tsealed	John Barkersealed	p. 153 (fol. 187)
Signum	Jn ^o B Bouchiersealed	
Rich. ^d Dodd 4sealed	Marke W Lamptonsealed	
Signum	Phil X Masonsealed	
Tho: Popesealed	ffrancis Adamssealed	
Tho: Helgarsealed	Rob. ^t X Inglesbysealed	
John Courtsealed	W. ^m W Wardsealed	

Charles Co^{ty} ss

By virtue of a writt in the nature of a mandannus to us Jn^o Douglas
 & Rob.^t Henly directed bearing date the 20.th day of march in the
 first year of the Dominion of Charles &c^a Annoq^{ue} Dom 1676 We

Liber C D Command you that you Cause Twelve Good & Lawfull men of your Baillywick to be and appear before us at the house of Henry Hardy on Thursday next being the 11.th day Instant may about nine of the Clocke before noon then & there to Enquire into what Lands Thomas Peircy late of Charles Co.^{ty} deēd dyed Seized of at the time of his Death as of ffee in the Said County & of what manno.^r & under what Rents & Services & how those Lands & Tenem.^{ts} are of value by the year in all issues & att what time the Said Thomas Peircy dyed, & who is his next heir & what age the heir is & who those Lands & Tenem.^{ts} from the time of the Death of the Said Thomas Peircy hath & doth Occupy & the issues & pfts & doth Receive & by what Title & how & in what mannor & who hath paid the Rent for the Same, & to whom & for yo.^r So doing this Shall be yo.^r warr.^t Given under our hands & Seals the fifth day of may in y.^e first year of the Dominion of Charles &c Annoq̄ Dom 1676

To Benj.^a Rozer Sheriff
of Charles County

John Douglass sealed
Robert Henly sealed

An Inquisition Indented taken at Batchelo.^r Creek in Charles Co.^{ty} this 11.th of may in the first year of Charles &c before Jn.^o Douglas Gent & Rob^t Henly Gent by virtue of a Commiss.ⁿ in the nature of a writt of mandamus to them directed & to this Inquisition annexed to Enquire after y.^e Death of Tho.^a Peircy late of Charles Co.^{ty} deēd by the Oaths of Randolph Brandt Ja.^s Tier, Sam.^{ll} Clarke, Tho: Gibson Tho: Harris, Joseph Bullett, Rich.^d Ambrose, Robert Woorall Jn^o Harvy Rob.^t Inglesby, Walter Davies W.^m Hinsey w.^{ch} Juro.^{rs} upon their oaths Say that the S.^d Thomas Peircy was Seized in his Demeasne as of ffee upon the day of w.^{ch} he dyed to witt the fifth day of Nov.^r 1666 of one hundred & fifty acres of Land Lying Scituate & being in y.^e County of Charles Co.^{ty} Commonly known & Called by the name of But of what mann.^r & by what Services its holden y.^e Juro.^{rs} are altogether Ignorant, And We the af.^d Jurors find the annuall Rent thereof to be one Bushell & a half of Indian Corn & we value it in all issues p Annum to be worth Two hundred p.^{ds} of Tob^o w.^{ch} S.^d Rent we find to have been p.^d by Jeremiah Long & Henry Hardy Since y.^e decease of the s.^d Jeremiah Long always to Rich.^d Watson & his heirs. And we the Juro.^{rs} af.^d having a Copy of the S.^d Tho: Peircy his Will brought before us find thereby Jeremiah Long whole & Sole heir & Ex.^r of the S.^d Tho: Peircy But no mencon made of Land Given to the S.^d Jeremiah Long nor her heirs neither do we find any heir apparent & Since y.^e Death of the s.^d Tho Peircy we find that the Land hath been Occupied by Jeremiah Long ab.^t the Space of three years from w.^{ch} time we find Henry Hardy hath & doth Occupy the Same & the issues & profits thereof hath & doth Receive In Testimony whereof

as well y.^e Com.^{rs} as Juro.^{rs} af.^d to this p^rsent Indenture have mutually Set their hands & Seals the day & year first above written

Liber C D
(fol. 188)

John Douglass
Robert Henly

Rand.^o Brandt
James Tier
Sam.^{ll} Clarke
Tho X Gibson

Tho: Harris
Jos: Bullett
Rich^d Ambrose
Rob.^t R Worrall
All Sealed

John Harvy
Robt.^t Inglesby X
Walter Davis
Will.^m H Hinsey

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(fol. 188)

Maryland ss

By virtue of a writt of mandamus directed to us Jn^o Stone & Rob^t Doyne bearing date y.^e Second day of may 1676 We Comānd you that you Summon twelve Good & Lawfull men of yo^{er} Co^{ty} on y.^e 30.th day of this Instant by Eight of the Clock to meet at y.^e house of m.^{rs} Ann ffooke's plantacon at Goose Creek to Enquire what Lands W.^m Gardener late of Charles County dyed Seized of at y.^e time of his Death as of ffee in the s.^d Co.^{ty} & of what manno^r & under what Rents & Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues & at what time the S.^d W.^m Gardner dyed & who is his next heir & of what age the heir is & who those Lands & Tenem.^{ts} from the Death of y.^e S.^d W.^m Gardner hath or doth Occupy & the issues & profits hath or doth Receive & by whose Title & how & in what manner & who hath paid the Rent for the Same & to whom & y.^e Inquisi^{co}n thereof distinctly & openly made to us under their hands & Seals on the day above written & this Shall be yo^r Sufficient warr.^t Given under our hands & Seals this 4th day of may 1676

To the high Sheriff of
Cha Co.^{ty} or his Deputy

John Stone sealed
Rob^t Doyne sealed

On the back Side of the aforegoing warr.^t was written viz.^t
By virtue of this precept I have Caused Twelve Good & Lawfull men of my Bailiwick to be & appear at the time & place w.thin men^{co}ned to make Enquiry as is w.thin Recited & whose names are under written

Tho: Cocker
ffr: Everard
Jn^o Bouchier
Garrett Synnot

John Wood
Jn^o Woodward
John Chesson
Rob^t Leatherland

Rob.^t Cosselton
Sam^{ll} ffendall
John Price
Rich.^d Jones

Benj^a Rozer Sheriff

An Inquisition Indented & taken at Portobacco in Charles Co^{ty} on y.^e 15.th day of may in the first year of the Dominion of Charles absolute Lord & Prop.^{ty} of y.^e Provinces of maryland & Avalon

Liber C D Lord Baron of Baltemore &c. & in y.^e year of o.^r Lord God 1676 before Jn^o Stone & Robert Doyne Gent By virtue of a Comission in the nature of a writt of mandamus to them directed & to this Inquisition Annexed to Enquire after the Death of W^m Gardner late of Charles Co.^{ty} deēd by the Oaths of Tho: Cocker ffrancis Everard Jn.^o Bouchier Garrett Synnett Jn^o Wood Jn^o Woodward Jn.^o Chesson, Rob.^t Leatherland, Rob.^t Cosselton Sam.^{ll} ffendall Jn.^o Price Rich.^d Jones w.^{ch} Juro.^{rs} upon their Oaths Saith that W.^m Gardner late of Charles County deēd dyed Seized at the time of his Death as of ffee in Charles Co.^{ty} of fifty acres of Land Called Lindsey's p^rspect Lying in Goose Creek on the west Side of Portobacco Creek as appeared p a Deed Recorded for y.^e Same in the Records of the Co.^{ty} af.^d acknowledged p Edmond Lindsey to the Said William Gardner w.^{ch} Said Tract of Land is to be holden of Zachayah manno.^r in free & Co^mon Soccage by ffealty only for all manner of Services Yeilding & paying therefore yearly one Shilling Sterl And further we Jurors upon our Oaths Say the S^d Land & Tenem.^{ts} are of Value by the year in all issues as we humbly conceive are worth one hundred & fifty pounds of Tob.^o p annum And further we Jurors upon our Oaths according to the best Informa^con We Can get Say that the S.^d W.^m Gardner dyed on y.^e Twenty fifth day of Decemb.^r in the year of our Lord God 1674 & that the s.^d W^m Gardner Dyed Intestate & without any heir And further we Jurors find y.^e Said fifty acres of Land to have been Since the Death of y.^e S.^d W^m Gardner in the hands of Edmond Taylor, But by what Right or Title the S.^d Edmond Taylor doth hold the Said Tract of Land We are altogether Ignorant And according to the Informa^con of the S.^d Edmond Taylor We find that the S.^d Edm^d Taylor hath paid the Lord Prop.^{ty} Rent for the Same Since the Death of the s.^d William Gardner to m^r Benj.^a Rozer Sheriff of this County as Wittness o.^r hands & Seals the day and year above written

John Stone
Rob^t Doyne

Tho: Cocker	John Wood	Rob. ^t R Cosleton
ffran: Everard	Jn ^o X Woodward	Sam. ^{ll} ffendall
Jn ^o B Bouchier	Jn. ^o Chesson	John Price
Garr. ^t X X Syñott	Rob. ^t R Leatherland	Richard Jones
	All Sealed	

To the high Sheriff of Calvert Co.^{ty} & to his Dep.^{ty} or Dep^{lys} By virtue of a writt to us directed und.^r y.^e Greater Seal for the province of maryland in the nature of a mandamus bearing date at y.^e City of S.^t marys y.^e 19.th day of this Instant month of Ap.^{ll} 1676 in y.^e first year of y.^e Dom.ⁿ of the R.^t Hon.^{ble} Charles absolute

Lord & Prop.^{ty} &c These are therefore to will & Require you Immediately after the Rec.^t hereof that you Summons & Give notice to twelve Good & Lawfull men of the Co.^{ty} of Calvert that they be & do personally appear before us at y.^e new dwelling house of m^r Rich^d Ladd upon the Clifts in the s.^d Co.^{ty} of Calvert at & upon y.^e Sixth day of may next being Saturday by nine of the Clock in the forenoon diligently to Enquire what Lands Joseph Horsley late of Calvert Co.^{ty} deceased dyed Seized of at y.^e time of his Death as of fee in the Co.^{ty} of Calvert & of what manno.^r & under what Rents & Services & how much those Lands & Tenem.^{ts} are of value by y.^e year in all issues & at what time the s.^d Joseph Horsley dyed & who is his next heir & what age the heir is & who those Lands & Tenem.^{ts} from y.^e time of y.^e Death of the s.^d Jos: Horsley hath or doth Occupy & the issues & profits hath or doth receive & by what Title & how & in what manner & who hath paid the Rent for the Same & to whom and that you have then & there this precept Given und.^r o^r hands & Seals this 27.th day of Ap.^l in the first year of the Dominion of the Right Hon.^{ble} Charles absolute Lord & Prop.^{ty} of y.^e Provinces of maryland & Avalon Lord Baltemore &c Anno^q Dom 1676

Samuell Browne sealed

Geo: Parker sealed

On the Backside of the foregoing precept was written viz
By virtue of this precept I have Caused to Come before you twelve Good & Lawfull men of my Bailywick whose names are hereunder written at the day and place within named to Enquire as it is within Ordered as by precept Commanded

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(fol. 190)

John Hance
Henry mitchell
W^m Barnett
ffrancis Maulden

John Manning
James macall
W^m Ireland
Nath.^l Daw

Benj^a Cloyster
Geo: Sealy
John Clarke
W.^m Mackdowell

Henry Darnall Sheriff

An Inquisition Indented taken at the Dwelling house of Rich^d Ladd Gent upon the Clifts in Calvert Co.^{ty} in y.^e province of maryland upon the Sixth Day of may in the first year of the Dominion of Charles absolute Lord & Prop.^{ty} of the province of maryland & Avalon Lord Baltemore &c Anno^q Dom 1676 By us Sam.^l Bourne of the Clifts af.^d Gent and Geo: Parker of y.^e Same Gent by Virtue of a writt of mandamus issued out of his Ldps high Court of Chan^{cy} to this Inquisition Annexed to us directed by the Oaths of Jn.^o Hance of the Clifts afores.^d Henry Mitchell of the Same William Barnett of the Same ffrancis Maulden of the Same Jn.^o manning of the Same James Macall of the Same W.^m Ireland of the Same Nathan.^l Daw of the Same Benjamin Cloyster of the Same George

Liber C D Sealy of the Same John Clarke of the Same & William Mackdowell of the Same the Jury who upon their Oaths as followeth viz.^t that the Said Joseph Horsley was at the time of his Death Seized in Actuell possession of tract of Land Containing nine hundred acres more or Less being part of a Tract of Land Containing one thousand acres more or Less Grant to one Rich^d Preston by one patent under the Great Seal of the S^d province bearing date at S.^t marys the 26.th day of Aprill in the 26th year of the Dominion of the R.^t Hon.^{ble} Cecilius &c of most noble memory in y.^e year of our Lord God 1658 & assigned & Set over unto the S.^d Joseph Horsley by the Said Richard Preston by one assignm.^t on the Backside of the S^d Recited patent bearing date y.^e first day of the Seventh month Called Sept.^r in the year of our Lord God 1663 To have & to hold the S^d Tract of Land to the Said Joseph Horsley his heirs & assigns for Ever And y^t the s^d Joseph Horsley was at the time of his Death Seized in Actuell possession of a Tract of Land one other part of the S.^d Thousand acres of Land Containing one hundred acres of Land more or Less Granted Bargained and Sold unto him the Said Joseph Horsley his heirs & assigns for Ever by one John Taylor & Alice his wife as by their Deed of Bargain & Sale bearing date the Seventh day of Jan.^{ry} 1664 relation being thereunto had it doth & may more at Large appear So that the Said Joseph Horsley was actually possessed at the time of his Death of one Thousand acres of Land more or Less Scituate Lying & being in Calvert Co.^{ty} by the meets & bounds thereof menõned in y.^e S^d Recited patent more at Large appear & Called or known by the name of Preston Clifts To be holden of his L^{dp} and his heirs as of his L^dpps mannor of S.^t marys in free & Common Soccage by ffealty only for all Services under the yearly Rent of Twenty Shillings Sterl in Silver or Gold or the Value thereof in Such Commodities as his L^{dp} or his heirs or Such offic.^r or offic.^{rs} appointed by his S.^d L^{dp} or his heirs from time to time to Collect and Receive the Same Shall accept in discharge thereof at the Choice of his L^{pp} & his heirs or Such officer or officers as afores.^d The S^d Jurors further Say that the S^d Joseph Horsley dyed the five and Twentieth day of ffebruary in the year of our Lord God 1670 And one Richard Ladd & Rosamond his now wife the Relict of the Said Joseph Horsley Since the Death of the Said Joseph have Received the issues and profits thereof the s^d Jurors further Say that the Said Land and premisses are now in the possõn of the Said Richard Ladd & Rosamond his wife & that y.^e Same Lands & p^rmisses as the Same now are Improved are worth Eight hundred pounds of Tob.^o p^r Annum over & above the Rent above Reserved to his L^{opp} And that the Said Richard Ladd hath paid the yearly Rent due to his L^{pp} for the Said Land & p^rmisses unto one Christopher Rousby or his Order late high Sheriff of the Said County of Calvert then Receiver for his L^{pp} untill y.^e Sixth day of

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(fol. 190)

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march in the year of our Lord 1671 And the Said Jurors further Say that they Cannot find any heir of the Said Joseph Horsley within the S^d province of maryland nor elsewhere In Testimony whereof as well the Said Com^{rs} as the Said Jurors have hereunto put their hands and Seals the day and year first above written Annoq Dom 1676

Sam.¹ Bourne }
Geo: Parker } Com.^{rs}

John Hance	John Manning	Ben: B Cloyster
Hen M Mitchell	W ^m Ireland	Geo: X Sealey
W. ^m W B Barnett	Nathan W Daw	John Clarke
fran: Mauldin	James I M Macall	W ^m Mackdowall

All Sealed

On the back Side of a Writt of mandamus directed to Rob.¹ Carville & Walter [Hall] of S.^t marys Co.^{ty} Gent bearing date the Twelfth day of Ap.¹¹ in y.^e first year of y.^e Dominion of Charles & Annoq Dñi 1676 to Enquire by the Oaths of xij &c what Lands John Reynolds Deēd dyed Seized of in the Said Co.^{ty} &c.^a was written viz.^t

The Execution of this Commission appears by Certain Schedule hereunto Annexed

Robert Carville
Walter Hall

By virtue of his L^{ds} Commission in the nature of a mandamus to us directed & issued out of his Lordships high Court of Chancery Commanding us that by the Oaths of twelve Good & Lawfull men of S.^t maries County by whom the truth in the matter may y.^e better be known & Enquire of that we Should diligently Enquire w^t Lands John Reynolds late of the S.^d Co.^{ty} deēd dyed Seized of at the time of his Death as of fee in the Co.^{ty} of what manno.^r & under what Rents & Services & how much those Lands & Tenem.^{ts} are of value by the year in all issues And at what time the S.^d John Reynolds dyed & who is his next heir & at what age the heir is & who those Lands & Tenem.^{ts} from the time of the Death of the Said John Reynolds hath or doth Occupy & the issues & profits hath or doth Receive & by what Title & how & in what manno.^r & who hath paid the Rent for the Same & in whom We do hereby Strictly Charge & Command you that y^o Cause to Come & Call before us on Tuesday next being the 25th of Ap.¹¹ next at the house of Sarah Claw in S.^t michael's hundred in the s^d Co^{ty} by nine of the Clock in the morning of the Same day Twelve Good & Lawfull men of yo.^r Bailywick by whom the truth of the matter may be the better known to Enquire of the premisses afores.^d & have you there this precept & the names of the Jurors afores.^d & for your So doing this Shall be yo.^r warrant Given under our hands & Seals this 18.th

Liber C D day of Ap.^{ll} in the first year of the Dominion of Charles &c Annoq
 Domini 167[6]
 To Clem.^t Hill high Sheriff Rob.^t Carville sealed
 of S.^t mary's County Walt^r Hall sealed

An Inquisition Indented taken upon the five & Twentieth day of
 Aprill in the first year of the Dominion of Charles absolute Lord and
 Prop.^{ry} of the Provinces of maryland and Avalon Lord Baltemore
 &c Annoq Domini 1676 at the house of Sarah Claw Widow Scituate
 in S.^t Clares in S.^t michaels hundred in the Co.^{ty} of S^t marys before
 us Robert Carville & Walter Hall Gent By virtue of a Com^{is}on in
 the nature of a mandamus iss.^d out his L^{ds} high Court of Chan^{ry}
 to us directed by the Oaths of W.^m Asboston, William Thomas,
 Tho: Doxey, Rich.^d Attwood, Henry Rider, Tho: Botter, Tho.
 Keyting Elias Beech, Joseph Hackney, John Stevens, Richard Chill-
 man & W.^m Newport twelve Good & Lawfull men of the County af.^d
 Sworn diligently to Enquire what Lands John Reynolds late of the
 S.^d Co.^{ty} de^{ce}d dyed Seized of at the time of his Death as of fee
 in the Co.^{ty} af.^d & of what manno.^r & under what Rents or Services &
 how much those Lands and Tenem.^{ts} are of value by the year in all
 issues & at what time the Said Jn^o Reynolds dyed & who is his next
 heir & at what age y^e heir is & who these Lands & Tenem.^{ts} from the
 time of the Death of the Said John Reynolds hath or doth Occupy
 and the issues and profits hath or doth Receive & by what Title &
 how & in what manno.^r & who hath paid the Rent for the Same, & to
 whom w.^{ch} S^d Juro.^{rs} upon their Oaths Say as followeth

first they Say upon their Oaths that one Elizabeth Young being
 Seized in her Demeasne as of fee of & in all that pcell of Land
 Called ffresh pond Neck Scituate in S.^t michaels hundred in the s^d
 Co.^{ty} by Virtue of a Devise thereof to her made by Edward Packer
 Son of the Said Elizabeth by his last will & Testam.^t as they are
 Credibly Informed & for their more Certainty herein they Referr
 themselves to y^e Said Packer's Will Remaining in the office for
 Probate of Wills & there having been formerly an Agreem.^t made
 between the S^d Edw^d Packer & the S^d Jn^o Reynolds about the Sale
 of the S^d Lands to the s^d Reynolds by the s.^d Packer & Some part of
 the purchase for the Same paid by Reynolds to Packer as they are
 Informed She the S.^d Elizabeth did about Novemb.^r Anno Dom
 1671 by Some writing under her hand & Seale & Entered upon Rec-
 ord as they Suppose in the Sec.^{rys} office & to w.^{ch} they do also refer
 themselves Grant & Convey the S.^d Lands & premisses to the s^d Jn^o
 Reynolds & his heirs for Ever And that by virtue of the s.^d Deed
 the s.^d Jn^o Reynolds became Seized in fee of the p^{mi}sses, & being
 So Seized he the Said John Reignolds by his last will & Testam.^t
 bearing y^e 24th day of Aug.^t 1673 Gave & bequeathed his Reall &
 psonall Estate to be Sold to pay his debts & the Severall Legacys

y^ein men^cioned, & made W.^m Clawe & John Smallpiece Ex.^{rs} & Liber C D
Shortly after dyed without any heir that the Jurors afores.^d know of

That the S.^d Clawe & Smallpiece proved the will & Shortly after
Smallpiece dyed & the S.^d W.^m Clawe tooke upon him y.^e Executor-
ship alone as they have heard, And the s^d Severall Creditors &
Legatees of the S.^d John Reignolds Sued the S.^d Clawe in Chan.^{ry}
to have a decree of that Court for to Enable the S.^d Clawe the Ex.^r
to Sell the Land for paym.^t of the S.^d debts and Legacys and upon
the fifth day of may 1675 it was by the high Court of Chancery
(amongst other things) adjudged & Decreed that the Said Tract
of Land Called f^resh pond neck Sho.^d be Sold & Disposed of for
paym.^t of the Debts & Legacys of the S.^d Testator So farr as the
Same would amount to Satisfie, And that W.^m Clawe af.^d Should
hold possess & Enjoy the Same to him & his heirs for Ever against
all manner of person or persons whatsoever having or pretending to
have or Claime any Title Right or Interest in or to the Same, And
that all & Every Gift Grant Bargain & Sales of the premisses by him
the Said William Clawe made of the premisses to any p^rson or p^rsons
whatsoever Shall be as effectual & binding to all intents and pur-
poses in the Law whatsoever to hold to Such p^rson or p^rsons & their
heirs for Ever as if the Said William Clawe had been Legally Vested
in the Same as in his own proper Right in an Estate in f^ree Simple
as by y.^e Records of y.^e Said Court to w.^{ch} they referr themselves
may appear And afterwards the S.^d W.^m Clawe was Slain before the
Susquahannough ffort, having first made his will & his wife Sarah
Sole Ex.^{rs} & yet made no disposition of the S.^d f^resh pond Neck
& that he hath left no heir behind him that they know of

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The Jurors afores.^d do further Say they know not of any other
Lands the S.^d John Reignolds dyed Seized of & of what manno.^r or
under what Rents or Services the S.^d Lands are holden they are
altogether Ignorant and they further Say that one Edward Jolly
did d^ruring his life & margaret his wife after him, & one John
Stevens who married the s^d margaret Jolly & the S.^d margaret
have held & Still do hold & Enjoy the Said Lands and p^rmisses by
virtue of a Lease to the Said Edward Jolly made by the S.^d John
Reignolds bearing date the 28.th Decemb.^r 1669 under the yearly
Rent of one thousand pounds of Tob.^o w^{ch} Lease will Expire about
Christmas next And the S.^d Edward Jolly & margaret Jolly & Jn^o
Stevens have hitherto (as they Say) paid the Lords Rents to the
Sheriff's of S^t marys County, And that the S.^d one thousand p.^{ds} of
Tob.^o Rent reserved upon the Said Lease was paid for Some time to
John Reignolds And that there is now three years behind & unpaid
And that the s.^d Jurors do Say the s.^d Lands & premisses are worth
by y.^e year one thousand p.^{ds} of Tob.^o be under the Lords Rent ac-
cording as the Same is now lett In Testimony whereof as well the S.^d

Liber C D Com.^{rs} as the Jurors af.^d have hereunto Set their hands & Seals the day and year abovesaid

Ro: Carvile
Walter Hall

W. ^m Asboston	Hen: FR Rider	Joseph Hackney
W. ^m M Thomas	Tho: Potter	Jn. ^o 3 Stevens
Tho: 3 Doxey	Tho: Keyting	Rich. ^d Chillman
Rich ^d R Atwood	Elias Beech	W. ^m Newport
All Sealed		

This Indenture made this 22.th day of march in the first year of the Dominion of Charles absolute Lord & Prop.^{ry} of the Province of maryland Lord Baron of Baltimore &c^a and in the year of our Lord 1675 Wittneseth that By Virtue of a writt in the nature of mandamus unto Thomas Brooke & Roger Brooke of Calvert County Gent directed bearing date the 26.th of ffebruary in the 44.th year of the Dominion of Cæcilus &c Annoq Dom 1675 the Said Thomas Brooke & Roger Brooke were Commanded Authorized & impowered by the Oaths of Twelve Good & Lawfull men of Calvert County by whom the truth of the matter may the better be known & Enquired of, that diligently that Enquire what Lands & Tenem.^{ts} Robert Turner late of Kent County deceased dyed Seized of at the time of his Death as of ffee in the County of Calvert of what manno.^r & under what Rents and Services how much those Rents & Services are of value by the year in all issues & at what time the Said Robert

(fol. 194) Turner dyed & who is his next heir & of what age the heir is & who those Lands & Tenem.^{ts} from the time of the Death of the Said Robert Turner hath or doth Occupy & the issues & profits hath or doth Receive & by what Title & how & in what mannor & who hath paid the Rent of the Same And the Said Thomas & Roger Brooke by the Oaths of George Lingan Mordecay Hunton Tho: Robinson Henry Cole, Bernard Johnson, W.^m Standley Francis Dorington, Jn.^o Turner, John Winall, Henry Mitchell Ja.^s Gardner & W.^m Kent upon the day and year above written at Calverton in Calv^t County in the Said Province of maryland upon their Oaths

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(fol. 194) did Enquire of the premisses And after Serious Consideration thereof had do Say as followeth That the Said Rob.^t Turner dyed Intestate & without any heir about the 20.th of ffeb.^{ry} last past And that at the time of his Death he was possessed of one pcell of Land Lying Scituate & being in the ffreshes of Putuxent River in Calvert County the s.^d one Tract or parcell of Land Cont.^a five hundred acres Called by the name of Turners pasture & holden of his L^{dp} & his heirs in free & Common Soccage by fealty only for all Services under the yearly Rent of Ten Shillings Sterl p annum And that Henry Trulock Ever Since y^e Death of the Said Robert hath possessed the Said Land & taken the issues & profits thereof, but by

what Title they know not Also the Said Jurors do find that the Said Rob^t Turner dyed Seized of one other parcell of Land Containing three hundred acres Called by the name of Turners place holden of his L^{dp} & his heirs as of L^{pps} manno.^r of Putuxent in free & Common Soccage by ffialty only for all Services under the yearly Rent of Six Shillings Sterl & that the Same is now worth in all its issues & profits by the year two hundred pounds of Tobacco And that one John Moffett ever Since the death of the Said Rob.^t Turner hath possessed the Said Land But by what Title we know not In Wittness whereof as well the Said Thomas Brooke & Roger Brooke as the Jurrors afores.^d to these presents their hands & Seals have Sett & put the day & year first above written

Liber C D

Tho: Brooke
Rog^r Brooke

Geo: Ligan	Bernard Johnson	John Wynall
M: Hanton	W. ^m Hanley	Hen: M Mitchell
Tho: Robeson	ffr: Dorrington	Jos: X Gardner
Hen: Cole	John Turner	W ^m M Kent
	All Sealed	

Ap.^{li} 5.th 1676

It is y^e Judgm^t of the Court here that y.^e Lands aboves.^d are Escheated to his Lpp for want of heir

p Jn^o Blomfield Ct

Charles &.^c To the Sheriff of Kent County Greeting Whereas by a finall Judgm.^t or decree made before us in our Court of Chancery upon the ninth day of December instant in a Cause there depending Between Thomas Peighen master of the Ship Ruth of London p.^{li} & George ffulford & Edward Leach merch.^{ts} of London def.^{ts} It was amongst other things Ordered adjudged & Decreed that the S.^d Edward Leach ffactor of the S.^d Geo: ffulford Sh.^d forthwith out of the Goods Shipped on board the Said Ship or the produce thereof pay the Seamens Wages for twelve months w.^{ch} amounted to the Summe of four hundred fifty Seven pounds Sixteen Shillings Sterl Port Dutys & for Victualling the S.^d Shipp & also that the Said Edw.^d Leach Sho.^d out of the S.^d Goods & produce y^eeof pay unto the s.^d Comp.^{lt} Tho.^s Peighen according to Charter party the Sum of Six hund.^d & thirty p.^{ds} Sterl for the hire of the Said Ship for twelve months being yet unpaid as also the Sum of twelve p.^{ds} Sterl for Costs of Suit taxed by this Court as by the Same device Remaining upon Record in our Sec.^{rys} office may more at Large appear And Whereas the s.^d Thomas Peighen hath made Complaint to us that the S.^d Edw.^d Leach is a foreigner & hath no Visible Estate in this Province upon which Execution upon the s.^d Decree may be had or Levied in Case the Goods So Shipped as aforesaid & most of them

(fol. 195)

Liber C D in his possession Should be Imbezelled or the propertys of them by
 p. 161 him altered And that also we are Informed the Said Edward Leach
 (fol. 195) is upon his Departure out of this province the Said Decree being
 wholly unsatisfied We do therefore Command you that you take the
 Body of the Said Edward Leach if he Shall be found in your Bailly-
 wick and him Safe keep untill he Enter into a Recognizance in our
 Court of Chancery with Sufficient Sureties not to depart this prov-
 ince untill he hath fully Satisfied the Said Decree according to the
 Tenor & true Intent thereof, of this you are not to fail at your peril
 Wittness o.^r Self &c 22.th Decemb.^r in the Second year &c Annoq^{ue}
 Domini 1676

pp Robert Ridgely writt of Replevin for one Bay mare ad
 vic Com S.^t marys ag.^t the Hon.^{ble} Phillip Calvert Esq^r Chancello.^r
 of this Province Dated 11.th Octob. 1676 ret 28.th Novemb.^r p &

RR Subp.^a Bruen Ralford of Calvert County merchant to
 answer a Bill in Chancery at the Suit of Edw^d Williams dated 6th
 January 1676 ret 13.th ffebruary p &

RR Subp.^a John Abbington to Answer a Bill in Chan.^{ry} at
 the Suit of Bernard Johnson dat 6.th January 1676 ret 13.th ffeb: p &

RR Subp.^a Thomas Carlisle John Watson Robert Graham
 & W^m Hatton Ex.^{rs} of the Last will & Testam.^t of John Cunningham
 deēd at the Suit of Cadwallader Jones & Sam.^{ll} Leadbeater dat^d 6.th
 January 1676 ret 13.th ffeb.^{ry} p &

RC Subp.^a Rich.^d Johns & Elizabeth his wife and Thomas
 Sparrow at the Suit of Tho^s ffrances dat 15th Jan.^{ry} 1676 ret 13.th
 ffeb: p &

RC Subp.^a Thomas Truman & Nathan.^{ll} Trueman to appear
 in Chan.^{ry} y.^e 13.th of ffeb: next to hear Judgm.^t int them & Tho^s
 Sprigg Comp^{lt} dat 6.th Jan.^{ry} 1676

BR The Hon.^{ble} Thomas Notley Esq^r ne ex: Provinciam ag^t
 Dominick Bodkin dat 19.th ffeb: 1676 ret 17.th Aprill p & ad vic
 Com Ch:

BR Benj.^a Rozer Ne ex: Provinciam ag.^t W.^m Barrett Jun.^r
 merch.^t dat 19th ffeb: 1676 ret 17.th Aprill p & ad Coron.^r Com Ch:

(fol. 196) major W.^m Boreman Wridd of Replevin for one Cannea ad vic
 Com S.^t Maries ag.^t Sarah Piles dat 14.th ffeb: 167 15 Instant

Charles &c To the Sheriff of Ann Arundell Co.^{ty} Greeting Where-
 as Complaint is made unto us by Edw.^d [Dor]sey admin^r of the
 Goods & Chattells Rights & Credits of Nicho.^s Wyatt that
 Thomas Bland & Demoras his wife have disposed of the Est
 the Said Nicho.^s Wyatt & denys to Render any account thereof
 to d Edw.^d Dorsey And whereas the S.^d Edw.^d Dorsey
 hath Commenced a^con in our Provinciaall Court ag.^t the Said
 Thomas Bland & Demoras his wife for the Compelling them to
 Render an accompt of the S.^d Estate of the S.^d Nicho.^s Wyatt to
 his S.^d Adm.^r & that the Said Tho: Bland is upon Departure out of
 this province & may depart before he hath Answered the Said Ac^on
 as af.^d brought & thereby no Redress or Relief can be had for him the
 S.^d Edward Dorsey These are therefore to require you that you
 take the Body of him the S.^d Tho^s Bland if found within your Bailly-
 wick & him Safely keep till he hath Entred into Recognizance with
 Sufficient Sureties to our Said Court not to depart this province
 untill he Answer the s^d Suit And to do & perform what our Said
 Court Shall do & determine therein And hereof fail not at your
 peril And that you make Return of the Execution of this writt into
 our Court of Chancery by the Seventeenth day of Aprill next where-
 soever it Shall then be Wittness our Self at our City of S.^t maries
 the 19.th day of ffeb: in the 2^d year of our Dominion &^a Anno^q Dni
 1676

p. 162
 (fol. 196)

RC Charles &c To the Sheriff of Kent County Greeting We
 Comand you that you attach Edward Leach if he Shall be found in
 your Baillywick & him Safe keep So that you have his Body before
 us in our Court of Chancery without delay wheresoever it Shall
 then be to Answer unto us as well touching a Certain Contempt by
 him the S.^d Edward ag.^t us Committed as is Said as to Such other
 things as Shall be then & there objected ag.^t him & further to do &
 Receive what our Said Court Shall in this behalf Consider of &
 this you may in no wise Omitt & have you there this writt Wittness
 our Self at our City of S.^t marys y^e third day of march in the
 Second year of o^r Domⁿ &^a Anno^q Dni 1676

Endorsed

By the Court

On the behalf of Thomas Peighin p.^{lt} for the breach of a Decree
 by the Oath of Cornelius Comegys

RC Charles &c To the Sheriff of Kent County Greeting
 Whereas Complaint is made unto us by Edward Leach ffactor of
 George ffulford of London merchant that Thomas Peighin master of
 the Ship Ruth of London Stand Indebted unto the Said George fful-
 ford in the Sume of one thousand pounds of Lawfull money of Eng-
 land for which S^d Sum^m the Said George ffulford hath Comenced his
 Suit in our Provinciaall Court & the Said Thomas Peighin hath ap-

(fol. 197)

Liber C D peared by his attorney thereunto & as yet Remaineth undetermined & Whereas also the S.^d George ffulford hath brought one other acon of Trepass upon the Case in our S.^d Court ag.^t the S.^d Tho: Peighin for Severall Goods to wit thirty Seven Bayls three Truncks Twelve Casks three Chests & one Bundle of merchandize Shiped on board the S.^d Ship for the proper account of the S.^d George ffulford to be delivered to the Said Edw.^d Leach or his assigns w.^{ch} Said Goods & merchandizes are not delivered as af.^d to the damage of the S.^d George is Said, two thousand five hundred pounds Sterl w.^{ch} Case also Remaineth undetermined and for that y.^e S.^d Thomas Peighin is upon departure out of our S.^d Province of maryland before he hath red the S.^d acon as af.^d brought ag.^t him & if So the S.^d George sed is left Remedyless in the premises These are the ce to will & require you that you take the Body of the S.^d Thomas Peighin if he Shall be found in yo.^r Bailywick & him Safe keep till he hath Entered into Recognizance with Sufficient Suretys to pay the S.^d George ffulford his debt of one thousand p.^{ds} Sterl & damages af.^d with Costs of Suit if he the S.^d Thomas Shall be Cast in the S.^d two acons & to do & perform what our S.^d Court Shall adjudge and Determine therein And hereof fail not at yo.^r peril and that you make return of the Execution of this writt into our Chan.^{ry} by the 17.th day of Ap.^l next wheresoever it shall then be Wittness &c y.^e 16.th of march in y.^e Second year of o.^r Dom.ⁿ &c Annoq Dñi 1676

Dec.^r 8.th 1676

Commission then issued to George Robins of Talb.^t Count Gent to be Coroner for the Said County.

p. 163
(fol. 197)

Eod: Die

Commission then issued to W.^m Stevens of Somersett County Gentl to be Coroner for the Said County

RC Edward Hunt ne Exeat Provinciam ad vic. Com Calvert against Alexander Younger dat 14.th feb: 1676 ret without delay

Charles &c To the Coroner of S.^t marys Co.^{ty} Greeting Whereas We lately Commanded our Sheriff of S.^t marys County that whereas at a Provinciall Court held at S.^t marys the Eleventh day of June Anno Dom one thousand Six hundred Seventy two before our Justices thereunto assigned Mathew Ward Recovered Judgm.^t ag.^t Daniell Jenifer & Rich.^d Moy deceased for the Summe of thirty three pounds & Eleven Shillings Sterl with Costs of Suit for w.^{ch} Summe Satisfaction Remaineth to be made We therefore did Comand him that by Good & Lawfull men of his Bailywick he Should make

known to the Said Daniell Jenifer & to Henry Carew, Robert Carvile and Clement Hill Ex.^{rs} of Elizabeth Moy Ex.^{rx} of the Said Richard Moy that they Should be & appear before our Justices of our Prov.^{ll} Court the fourth day of Aprill then next to Shew Cause if any they had why Execution Sho.^d not issue for the Said Sume of thirty three pounds Eleven Shillings Sterl the debt af.^d & thereof he was not to fail at his peril & to have there that writt & because in the Record & processe & also in y^e Rendring of Judgm.^t ag.^t the Said Estate of the Said Richard deēd manifest Error hath happened to the Great damage of Henry Carew Robert Carvile & Clement Hill Ex.^{rs} of Elizabeth moy Ex.^{rx} of Rich.^d moy deēd as by their Complaint we have accepted as by the Record & process thereupon Between the partys afores.^d of the s^d plea By virtue of our writt of Correcting of Errors to our Justices of our Prov.^{ll} Court directed & by them to be before us Sent in our Councell of upper house of Gen.^{ll} Assembly at our Gen.^{ll} Assembly to be held at our City of S.^t marys the fifteenth day of may next Ensueing & of Record before us now Remaining more fully appeareth And now on the behalf of the Said Henry, Robert and Clement Hill Ex.^{rs} as afores.^d in our Court before us we have accepted That although the Said Henry Robert and Clement have Given Security to prosecute the writt of Error in the Record af.^d to be Corrected & that the plea upon our writt of Error yet Remaineth before us in our Councell afores.^d undetermined yet you by the procurem.^t of the S.^d mathew Ward have Endeavoured to make and Leavy of the Goods & Chattells of the S.^d Richard moy the Said Sume of thirty three pounds Eleven Shillings Sterl as also the S.^d Seven hundred Seventy two pounds of Tobacco for the debt & Costs afores.^d as out of the Relation of the Said Henry Robert & Clement We have been informed And We being willing in this behalf to do that w.^{ch} is Just & being unwilling to injure the Estate of the Said Rich.^d Moy or the Ex.^{rs} aforesaid in the p^rmisses We Comand you that from Leavying any Goods or Chattells of the s.^d Rich.^d Moy Deceased or molesting the S.^d Henry Rob.^t or Clement or them or any of them by Reason of the Judgm.^t af.^d untill the plea upon our s^d writt of Error before us in our Councell afores.^d be determined you altogether Supersede & if any of the Goods & Chattells of the S.^d Rich.^d Moy deēd from them the s.^d Henry Robert or Clement or any of them by that Occasion & no other you have made or Leavyed then all these Goods & Chattells to the Said Henry; Robert & Clement without delay you Cause to be delivered Wittness our Self at the City of S.^t maryes y^e Twenty fourth day of ffebruary in the Second year of our Dominion & Annoq Domini 1676

Liber C D

(fol. 198)

p. 164
(fol. 198)

Charles &c To our Justices of our Provinciaall Court Greeting
whereas Mathew Ward at our Provinciaall Court held at our City of

Liber C D S.^t maries y.^e Twelfth day of february in the first year of o^r Dominion &^c Annoq^{ue} Dom one thousand Six hundred Seventy five obtained out of our Said Court our Writt of Scire facias to our Sheriff of our Co.^{ty} of S.^t marys directed thereby Reciteing that Whereas that the S.^d Mathew had at a Provinciaall Court held at S.^t maryes y.^e Eleventh day of June one thousand Six hundred Seventy (fol. 199) two before our Justices thereunto assigned Recovered Judgm.^t ag.^t Dan.^{ll} Jenifer & Richard moy Deçed for the Summe of thirty three pounds & Eleven Shillings Sterl w.th Costs of Suit for w.^{ch} Said Summe Satisfacōn Remained to be made therefore Command was Given to our Sheriff that by Good & Lawfull men of his Bailywick he Should make known unto the S.^d Daniell Jenifer & to Henry Carew Robert Carvile & Clement Hill Ex.^{rs} of Elizabeth moy Ex.^{rs} of the Said Rich^d moy that they Should be and appear before our Justices of our Said Court the fourth day of Aprill then next to Shew Cause if any they had why Execution Should not issue for the S.^d Summe of thirty three pounds Eleven Shillings Sterl the debt af.^d And thereupon the Said Mathew Ward Obtained Judgm.^t ag.^t the Estate of the S.^d Richard Moy deçd for the S.^d Thirty three pounds & Eleven Shillings Sterl the Judgm.^t afores.^d & also for Seven hund^d Seventy two pounds of Tobacco Costs of Suit Now because in the Record & process as also in the Rendring the Judgm.^t af.^d manifest Error hath happened to the Great damage of the Said Henry Robert & Clement Ex.^{rs} aforesaid as by their Great Complaint we have Received, We Willing that the Errors (if any be) Sho.^d in due manner be Corrected & full & Speedy Justice done to the Said partys in their behalf We Command you that if Judgm.^t be Rendred then the Record & process of the Judgm.^{ts} afores.^d with all things touching & Concerning the Same before us in our Councell of upper house Gen.^{ll} Assembly at a Gen.^{ll} Assembly to be held at our City of S.^t marys y.^e fifteenth day of may next Ensueing under your hands and Seals distinctly & openly you Send That Inspection being had of the Records and proceedings therein We may Cause further to be done what of Right & according to the Laws & Constitution of this o.^r Province ought to be done therein And also that you have there this Writt Wittness our Self at our City of S.^t maries the Twenty fourth day of february in the Second year of o.^r Dominion &^c Annoq^{ue} Dni 1676.

HL Edward Leach Ne Ex: Provinciam ad vic Com Calvert
ag^t Thomas Peighin dat 26.th march ret without delay (ut in fo: 165)

Charles &^c To the Sheriff of Talbot County Greeting Because in the Record & process as also in y.^e Rendring of Judgm.^t ag.^t the Estate of Richard moy deçed on the plaint w.^{ch} was in our Provinciaall Court before our Justices there Between Mathew Ward p.^{lt} Dan^{ll}

Jenifer & Henry Carew Robert Carvile & Clem.^t Hill Ex.^{rs} of Elizabeth moy Ex.^{rs} of Richard Moy decd def.^{ts} upon a Scire facias issued out of our Said Court ag.^t them to show Cause why Execution Should not issue out against them for to pay the Summe of thirty three pounds Eleven Shillings Sterl with Costs of Suit formerly recovered ag.^t the Said Daniell Jenifer & Richard moy in our Said Provinciall Court manifest Error hath happened to the Grievous Damage of the S.^d Henry Robert and Clement Ex.^{rs} as afores.^d as by their Great Comp^t we have Reved the Record & process of which Said Judgm.^t thereupon before us in our Councell of upper house of Gen.^{ll} Assembly at a Gen.^{ll} Assembly to be held at S.^t marys the fifteenth day of may next Ensueing for Certain Causes We have Caused to be brought And we being willing the S.^d Errors (if any be) Shall be in due maner be Corrected & full & Speedy Justice to be done to the partys af.^d in this behalf We Command you that by Good & Lawfull men of your Bailywick you Cause the Said mathew Ward to be Summoned to be & appear before us in our Councell of upper house of Gen.^{ll} Assembly afores.^d on the fifteenth day of may afores.^d to hear the Record & process of the Judgm.^t af.^d and the Errors af.^d & further to do & Receive what our Said Court Shall Consider to be done in this behalf & have you there the names of those by whom you make this known & this writt Witness our Self at our City of S.^t marys the Twenty fourth day of ffebruary in the Second year of o^r Dominion &^a Annoq Dñi 1676

Liber C D

p. 165
(fol. 199)

(fol. 200)

Charles &^c To our Trusty Thomas Marsh Philemon Lloyd Edward Mann Samuel Tovey Henry Hosier & William Crosse Gent Greeting Whereas by a Certain Order or Decree made in the high Court of Chan^{ry} of this province of maryland Between Thomas Peighin p.^{lt} & Edw^d Leach & George ffulford def.^{ts} bearing date the ninth day of Decemb^r one thousand Six hundred Seventy Six It was Ordered & Decreed that Edward Leach the defend.^t Should out of the Goods Shipped on board the Ruth of London in the Port of London according to Charter party in the Said Decree mencond pay the Seamens wages due for their Service in the S^d Ship for twelve months amounting in the whole to the Summe of four hundred fifty Seven pounds Sixteen Shillings Sterl Together with the Charges of Port Dutys & the Victualling of the S^d Ship for the S^d Twelve months according to the S^d Charter party and further out of the Goods afores^d pay unto the S^d Complain.^t master of the S^d Ship the Summe of Six hundred & thirty pounds Sterl Remaining one for Twelve months hire of the S^d Ship at the Rate of Sixty five pounds Sterl p month according to the Said Charter party Together also with Twelve pounds Sterl for his the S^d Comp^{ts} Costs of Suit to him adjudged with w^{ch} Said Decree the S.^d

Liber C D Edw^d Leach had been duely Served & Demand Severall times made
 Said Sev.ⁿ Sumes of money decreed as afores.^d yet the
 Said Edw^d Leach had Refused to pay the Same or give obedience
 to ee as by affidavit thereof made may appear where
 writt of attachm.^t hath issued out against the S^d
 Edward Leach been thereupon taken & now is in prison
 under of our Sheriff of Kent & being So in Con-
 tempt hath been [exa]mined upon Interrogatories & our
 Justices of our Court have found the S.^d Edw^d Leach
 in Contempt for breach of the Said thereupon the
 Justices of our Said Court the one and Istant did
 Order a Sequestracon Should issue against So
 Shipped as af.^d in the hands or possession of the s^d Edw.^d Leach
 or of any other person whatsoever for him the Said Edward Leach
 & of all Debts or Sumes of Tobacco Raised due or payable out of
 the produce of the Said Goods in the hands of any person what-
 soever & the Same Sequestracon to be to you directed & to Seize &
 Sequester the Same Goods for Satisfaction of the Said Decree as af.^d
 as by the Same Order more at Large may appear. We do therefore
 hereby Authorize and appoint you or any three or more of you to
 Enter into Seize and take possession & into your hands to Sequester
 as well all goods & merchandizes So Shipped as aforesaid or the
 produce thereof in the hands & possessions of any person whatsoever
 And that you or any three or more of you appraise the Same & the
 Same So appraised you deliver to the Said Thomas Peighin or his
 Order for Satisfacon of the Said Decree And all his the Said Comp.^{ts}
 Costs & Charges Sustained in prosecuting the Said Decree And
 that you Certifie us by your Certificate under yo.^r hands and Seals or
 under the hands & Seals of any three or more of you in our S^d Co.^{rt}
 of Chan.^{ry} without delay of your whole proceedings in the p^rmisses
 Together with this writt & hereof fail not at yo.^r peril Wittness
 our Self at our City of S.^t marys the four & Twentieth day of
 Aprill in the Second year of our Dominion &^a Anno Dom 1677

p. 166
(fol. 201)

Charles &.^c To all our Judges Justices & other officers & ministers
 within our Said province of maryland all other p^rsons to whom
 these p^rsents Shall Come Greeting in our Lord God Everlasting
 Know ye that Whereas Thomas Curre late of Kent County an Infant
 under y.^e age of Discretion Stands p^rsented in our Provinciaall Court
 for killing Elizabeth Walton late of Kent Co.^{ty} by misadventure &
 ag.^t his will We of our free Grace & meer motion have pardoned
 remitted released acquitted Indemnified & discharged and by these
 presents do pardon remitt release acquitt Indemnifie & discharge
 the S.^d Thomas Curre of & from the S.^d Crime & all other offences
 by him at any time before the day of the date hereof done per-
 petrated or Committed against us And do hereby Give & Grant unto

the Said Thomas Curre our firm peace w^{ch} to us belongs by Reason of the afores.^d Crime So that We Will from hence forward that the S.^d Thomas Curre Stand Right in any of our Courts if any person whatsoever do him therein implead And We do hereby Restore the Said Thomas Curre unto y.^e Liberty of the Law In Wittness whereof We have caused these our Letters to be made Patents Wittness our Self at the City of S.^t maryes the five and Twentieth day of Aprill in the Second year of our Dominion over our Said province Annoq̃ Domini 1677

Liber C D

Charles &c To all our Judges Justices & [other offic]ers & ministers within our Said province of maryland & [all other pers]ons to whom these p'sents Shall Come Greeting in [our Lord God] Everlasting Know ye that Whereas Edward Turner [Mar]ys Co.^{ty} (fol. 202) Stands p'sented in our Prov.^{ll} Court for hog Stealing Comitted And the S.^d Edw.^d Turner having Confest the our free Grace & meer motion have pardoned Rem[itted released] acquitted Indemnified & discharged & by these p'sents [do pardon re-]mitt Release acquitt Indemnifie and discharge [the said] Edward Turner of & from all misdemeanors ffelonys and other Crimes & offences by him at any time before the day of the Date hereof Done perpetrated or Committed against us And do hereby Give and Grant unto the Said Edward Turner our firm peace w^{ch} to us belongs by reason of any misdemeano.^r or ffelony afores.^d So that we will from hence forward that the Said Edward Turner Stand Right in any of our Courts if any person whatsoever do him Implead therein And We do hereby restore the Said Edward Turner unto the Liberty of the Law In Wittness whereof We have Caused these our Letters to be made Patents Wittness our Self at our City of S.^t marys the five and Twentieth day of Aprill in the Second year of our Dominion over our S^d Province Annoq̃ Dñi 1677

p. 167
(fol. 202)

Charles &c To all our Judges Justices & other officers and ministers wthin our Said province of maryland and all other psons to whom these p'sents Shall Come Greeting in our Lord God Everlasting Know ye that Whereas Richard Sweatnam of St marys County Carpenter Stands presented in our Provinciaall Court for misdemeano.^{rs} & ffelonys by him done and Committed We of our ffree Grace and meer motion have pardoned Remitted Released acquitted Indemnified and discharged And by these presents do pardon Remitt Release acquitt Indemnifie & discharge the S.^d Richard Sweatnam of and from all misdemeano.^{rs} ffelonies & other Crimes & offences by him at any time before the day of the date hereof done perpetrated or Comitted against us And Do hereby Give and Grant unto the Said Richard Sweatnam our firm peace w^{ch}

Liber C D to us belongs by Reason of any misdemeano.^{rs} or ffelonys aforesaid So that we will from hence forward that the Said Richard Sweatnam Stand Right in any of our Courts if any person whatsoever do him therein Implead And We do hereby Restore the Said Richard Sweatnam unto the Liberty of the Law In Wittness whereof we have Caused these our Letters to be made Patents, Wittness our Self at our City of S.^t marys the four and Twentieth day of Aprill in the Second year of our Dominion over our Said province Annoq Domini 1677

(fol. 203) RC Subp.^a John Pitt at the Suit of Tho: Taylor dat 28.th Aprill ret 19th June 1677

RC Subp.^a Sarah Hooper & Elinor Hooper Infants the Daughters of Ruth Hooper deēd by Thomas Clagett & mary his wife their Guardians at the Suit of Hen: Hooper & Ruth Hooper Son of the S^d Henry dat 10.th may ret 19.th June 1677

Thomas Bowdle writt of Replevin ad vic Com Cal ag.^t Charles Boteler p one man Servant by name Jn^o Tassell dat 28.th Apr 1677 ret 17.th June p & Sequer

April 19.th 1677

Commission for Sheriff of Charles County then issued to W.^m Chandler Gent with writt of assistance and discharge to Benj^a Rozer late high Sheriff of the Same County ut est mutat mutand fol 67

April 21.th 1677

Commission for Sheriff of S.^t marys County then issued to Gerrard Sly Gent with writt of assistance & discharge to Clement Hill late high Sheriff of the Same County ut Est fol: 67

RC Subp.^a John Watson & Thomas Carlile at the Suit of Sam^{ll} Leadbeater to appear the 19th day of June Instant & then & there to bring w.th them into Court all Such Bills acc.^{ts} papers & writings as they by their Answer putt in to the Comp.^{ts} Bill Ex-hibited into our S.^d Court have Confest to be in their Custody dat 16.th June 1677

p. 168
(fol. 203) RR Marke Cordea writt of Replevin ad vic Com. S.^t maries ag.^t Peter Mills p one Brown bay mare of ab.^t five years old & one Stone Colt of about a year old dat 28.th July ret 2.^d Oct.^r 1677

RC Robert Peaca ag.^t Henry Stockett writt of Error Super Sedeas & Sci facias dat the 30.th of December ret 13.th ffeb: p &

James Ringold ag.^t John Wedge writt of Error Supersedeas & Liber C D
Sci fa dat the 11.th of Decemb.^r 1676 ret y.^e Second Tuesday in
may Anno 1678

RC Subp.^a Richard Godfrey to Answer a Bill in Chan.^{ry} at
the Suit of Richard Beck dat 18.th Sept ret 2^d Oct.^r 7 & 1677

RC Subp.^a George Oldfield & Andrew Peterson Son & heir
of Pet^r mounts of Cæcil Co.^{ty} to Answer a Bill in Chancery at the
Suit of John John Browning of Cæ: Co: Gent dat 24.th oct 1677
ret 4th dec.^r 7 &

CR Josias Seaward & Walter Land ne Exeat Provinciam
ag.^t miles Gray dat Ret

RC Lewis Blangy & mary his wife adm.^{rs} of Disborah Ben-
nett Replevin ad vic Com Kent ag.^t Thomas Brite 7 19 head of Cattle
dat 17.th Oct.^r ret 4.th December 1677

KC Peter Sayer Replevin ad vic Com Ch: ag.^t Jn.^o Allen 7
one Cart horse Called Rhone, one horse Called Cooper marked on the
neer Buttock one horse Called Twiggs, one horse Called Salsby &
one other horse Called Archy dat 14th Novemb.^r ret 4.th Decemb.^r
1677

RC Thomas Spinke Replevin ad vic Com S.^t m: ag.^t Con- (fol. 204)
stant Daniell 7 3 Cows Called Brown, Spott & primrose and three
Calves dat 17.th oct ret 4.th Decemb.^r 1677

RR Subp.^a Thomas Marsh to answer a Bill in Chancery at
the Suit of Stephen Burle Ex.^r of the Last will and Testam.^t of
Robert Burle deced dat 20.th Novemb.^r ret 4.th Decemb.^r 1677

Charles &^c To our Judges Justices & other officers & Ministers
w.thin our Said province of maryland & all other persons to whom
these presents Shall Come Greeting in our Lord God Everlasting
Know ye that Whereas Rickart Okaine of S.^t marys Co.^{ty} was
Indicted arraigned and Convicted in our Provinciaall Court for
Stealing two hogs of the proper Goods and Chattells of Edward
Turner And the Said Richard Okaine having Supplicated our Lieu.^t
Gen.^{ll} of our Said province for the Remission of the Corporall
punishm.^t due unto him for the Crime afores.^d We of our free
Grace do hereby pardon Remitt Release acquitt Indemnifie and
discharge the s.^d Rickart Okaine of & from the Corporall punishm.^t
due unto him for the Crime afores.^d And do hereby Give and Grant
unto him o.^r firm peace w.^{ch} to us belongs by reason of the s^d Crime
So that we will from hence forward that the Said Rickart Okaine

Liber C D Stand Right in any of our Courts if any pson whatsoever do him therein Implead And We do hereby Restore the S.^d Rickart Okaine unto the Liberty of the Law In Wittness whereof we have Caused these o.^r Letters to be made Patents Wittness our Self at our City of S.^t maries the tenth day of Octob.^r the Second year of o.^r Dominion over our Said province Annoq Domini 1677

p. 169
(fol. 204)

Eodem die His Ldps pardon then issued in the name of Rickart Okaine for the Remission of the Corporall punishm.^t due unto him for uncasing one hogshead of Tobacco of the proper Goods of John Bearcroft

Eodem die His Ldps pardon then issued in the name of martha the wife of Rickart Okaine for the Remission of the Corporall punishm.^t due unto her for Stealing one hog of the pper Goods & Chattells of Sam^{ll} Mattox

(fol. 205)

Charles &^c To the Com.^{rs} of Cæcil County Greeting because in y^e Record & process as also in the Rendring of Judgm.^t before us in our County Co.^{rt} of Cæcil County ag.^t the Estate of Thomas Howell Deçed in a plaint before you at the psecution of George Wells in a plaint depending before you in our Said Court manifest Error hath happened to the Great damage of John & Nathaniell Howell Ex.^{rs} of the last will & Testam.^t of the Said Thomas as by the Complaint of the S^d John & Nathaniell Howell we have Received we willing that the Errors if any be Should in due manner be Corrected & full & Speedy Justice to be done to the Said partys in this behalf do Command you that if Judgm.^t be Rendered that then the Record and process of Judgm.^t afores.^d with all things touching and concerning the Sam^{us} before our Justices of our Provinciaall Court To be holden at [the] City of S.^t marys the fourth day of Decemb.^r next Ensuing under your hands and Seals distinctly & openly you Send that Inspe[ction] being had of the Record & proceedings therein we may Cause further to be done what of Right and according to the Laws [and] Constitutions of this our province ought to be done there Wittness our Self & dated 24.th Oct.^r Anno 1677

Charles &^c To the Sheriff of Cæcil County Greeting Because in the Record & pceedings as also in Rendring of Judgm.^t ag.^t the Estate of Th[omas] Howell deçed at the Request of George Wells before our Justices of [our] Co.^{ty} Court of Cæcil County af.^d manifest Error hath happened to the Great damage of John & Nathan.^l Howell Ex.^{rs} of the last will and Testam.^t of the Said Tho: Howell as by their Great Complaint we have accepted as by the Record & proceedings thereupon between S.^d partys of the plaint af.^d by virtue of our writt for Correcting af.^d Errors to our Said Com.^{rs} of our s.^d County Court directed & by them to be before us in our

provinciall Court To be held at our City of S.^t maries the fourth day of decemb.^r next ensuing & of Record now Remaining more fully appears And now on the behalf of the S^d Jn.^o & Nathan.¹¹ in Court of Prov.¹¹ Court We have accepted that although the s.^d John & Nathan.¹¹ have Given Security to p^rSecute the writt of Error in the Record to be Corrected & that the-plaint upon the writt of Error yet Remains before us in our Said Court undetermined yet the S.^d George Wells had Endeavourd to make & Leavy of the Goods & Chattells of the said Tho: Howell Two thousand two hundred Sixty Seven p.^d of Tob.^o w.th Costs of same upon the Judgm.^t af.^d as we are Given to understand, & being Willing in this behalf to do what is Just & being unwilling to Injure y^e Estate of the S.^d Tho: Howell or the Ex.^{rs} af.^d in the p^rmisses We Com^dand you that from Levy[ing] any y^e Goods or Chattells of the s.^d Tho: Howell de^d or molesting of y^e S.^d John or Nath.¹¹ or them or any of them by Reason of the Judgm.^t af.^d untill the plaint upon the S.^d Writt of Error before us in our Prov.¹¹ Court af.^d be determined you altogether Supersede & if any of the Goods or Chattells of the Said Tho: Howell from them y^e S.^d Jn.^o & Nathan.¹¹ or Either of them by that Occasion & none other you have made or Leveyed then all those Goods & Chattells to the s.^d Jn.^o & Nathan.¹¹ w.thout delay you Cause to be delivered Wittness & dat 29th oct 1677

p. 170
(fol. 205)

Charles &^a To the Sheriff of Baltemore County Greeting because in the Record & process as also in the Rendring of Judgm.^t ag.^t the Estate of Tho: Howell de^d in a plaint that was before our Com.^{rs} of our Co^{ty} Court of Cæcil County at the psecu^{on} of George Wells manifest Error hath happened to the Great damage of Jn.^o & Nathan.¹¹ Howell Ex.^{rs} of the last will & Testam.^t of the S.^d Thomas as by their Great Complaint We have Received the Record & process of w.^{ch} S.^d Judgm.^t thereupon before us in our Provinciall Court to be held at o^r City of S.^t marys the fourth day of Decemb.^r next Ensueing for Certain Causes we have Caused to be brought & we being Willing the s.^d Errors if any be Should be in due manner Corrected & full & Speedy Justice to be done to the parties af.^d in this behalf Do Command you that — Good & Lawfull men of your Baillywick you make known to the Said George Wells that he be & appear before us in our Provinciall Court the 4.th day of Decemb.^r next af.^d to hear the Record & process of the Judgm.^t af.^d & Errors af.^d & further to do & Receive what our Said Court Shall Cause to be done in this behalf & have you there names of p^rsons by whom you make this known & this writt Test 24.th Oct.^r 1677

(fol. 206)

RC John & Nathan.¹¹ Howell Ex.^{rs} Tho Howell de^d ag.^t George Wells Writt of Error, Super Sedeas & Sci: fa: dat 6.th Decemb.^r ret 12.th feb: 1677

Liber C D RC Lewis Blangy & mary his wife adm.^{rs} of Disborah Bennett Replevin ad vic Com Kent ag.^t Thomas Brite for 19 head of Cattle dat 5.th January ret 12.th february 1677

RC Subp.^a Benj^a Rozer Esq Robert Robins Tho : Allison & Jn.^o Ashbrooke to Testife for Richard Beck p.^{lt} af.^t Geo: Godfrey defend.^t dat 5.th Jan.^{ry} ret 12.th february 1677

RC Subp.^a George Godfrey to Rejoyn & Joyn in Commis- sion with the p.^{lt} Richard Beck dat 5.th January ret 12.th february 1677

RC Subp.^a Benjamin Granger of Dorchest.^r County to answer a Bill in Chan.^{ry} at the Suit of John Haselwood & mary his wife Ex.^{rs} of the last will & Testam.^t of John Avery deēd dat 5.th Jan.^{ry} ret 12.th ffeb.^{ry} 1677

RC Subp.^a John Coode of S.^t marys Co.^{ty} Gentl to Answer a Bill in Chan.^{ry} at the Suit of Humphrey Jones dat 7.th ffeb : ret 12.th ffeb p &

KC Malige Peale Replevin ad vic Com S.^t marys ag.^t Rich.^d Ridgell for one Boat of Sixteen foot by the keel dat 5.th Jan.^{ry} ret 12.th ffeb : p &

Charles &^c To Henry Hooper Greeting We Command you that Imediately upon Sight hereof you pay unto Thomas Clegatt & Mary his wife Guardians of Sarah Hooper & Elinor Hooper Daughters of Richard Hooper deēd or the bearer of this Writt the Summe of Eight hundred p.^{ds} of Tob.^o adjudged them the Said Thomas & mary Guardians as af.^d by our Court of Chan.^{ry} y.^e fourth day of Oct^r last past in a Cause there depending between the s.^d Hen: Hooper & Rich.^d Hooper Son of y^e S^d Henry Comp.^{ts} & the S.^d Tho.^s & mary Guardian as af.^d def.^{ts} the s.^d Comp.^{ts} not having filed their Bill of Comp.^{lt} ag.^t y.^e def.^{ts} whereupon y.^e Same Cause was dismissed & hereof you are not to fail und.^r y.^e pain Ensuing Wittness o.^r Self the 27.th day of Oct.^r in the 2.^d year of o.^r Dom.ⁿ & Anno^q Domini 1677

p. 171
(fol. 206)

Charles absolute Lord & Proprietary of the Province of maryl.^d & Avalon Lord Baron of Baltemore &^c To all our Judges Justices and other officers & ministers within our Said province of maryland & all other persons to whom these presents Shall Come Greeting in our Lord God Everlasting Know ye that Whereas Edward Turner Jun.^r of S.^t marys County Stands presented in our Provinciall Court for hog Stealing by him done & Comitted and the S.^d Edward

Turner having Confest the Said fact We of our free Grace and meer motion have pardoned Remitted Released acquitted Indemnified & discharged And by these presents do pardon Remitt release acquitt Indemnifie & discharge the S.^d Edward Turner of & from all misdemeano.^{rs} ffelonies & other Crimes & offences by him at any time before the day of the date hereof done perpetrated or Comitted against us & Do hereby Give and Grant unto the S.^d Edw.^d Turner our firm peace w.^{ch} to us belongs by by Reason of any misdemeano.^r or ffelony af.^d So that we will from hence forward that the S.^d Edw.^d Turner Stand Right in any of our Courts if any pson whatsoever do him Implead therein And We do hereby Restore the s.^d Edward Turner unto the Liberty of the Law In Wittness whereof we have Caused these our Letters to made Patents Wittness our Self at our City of S.^t marys the five and Twentieth day of Aprill in the Second year of o^r Dominion over our S.^d Province Annoq^{ue} Domini 1677

Liber C D

(fol. 207)

Charles Absolute Lord & Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltemore &c To all our Judges Justices & other officers & ministers within our Said province of maryland & all other persons to whom these presents Shall Come Greeting in our Lord God Everlasing Know ye that Whereas Henery Rider of S.^t mary's County planter at a Provinciall Court held at our City of S.^t marys the one & Twentieth day of June Instant was Indicted arraigned & Convicted for hog stealing We of our free Grace & meer motion have pardoned Remitted Released acquitted Indemnified & discharged & by these presents do pardon remitt release acquitt Indemnifie and discharge the S.^d Henery of & from the Said Crime And do hereby Give and Grant unto the Said Henery our firm peace w.^{ch} to us belongs by Reason of the ffelony aforesaid So that we will from hence forth that the Said Henery Rider Stand Right in any of our Courts if any person whatsoever do him therein Implead And we do hereby Restore the Said Henery to the Liberty of the Law In Wittness whereof we have Caused these our Letters to be made patents Wittness our Self at our City of S.^t marys the Twenty third day of June in the Second year of our Dominion & Annoq^{ue} Dom 1677

Charles Absoluté Lord & Prop.^{ty} of the Provinces of maryland and Avalon Lord Baron of Baltemore &c To all our Judges Justices and other officers & ministers within our Said province of maryland & all other psons to whom these presents Shall Come Greeting in our Lord God Everlasting Know ye that Whereas William Newport of S.^t marys County planter at a Provinciall Court held at our City of S.^t marys the one & Twentieth day of June instant was Indicted arraigned & Convicted for hog Stealing We of our free Grace and meer Mo^{tion} have pardoned, Remitted Released acquitted Indem-

Liber C D nified and discharged And by these presents do pardon Remitt
 p. 172 Release acquitt Indemnifie & discharge the Said W.^m Newport of
 (fol. 207) and from the Said Crime And doe hereby Give and Grant unto the
 S.^d William our firm peace w.^{ch} to us belongs by reason of the
 ffelony afores.^d So that we will from hence forth that the Said
 William Newport Stand Right in any of our Courts if any person
 whatsoever do him therein Implead And We do hereby Restore the
 S.^d W.^m Newport to the Liberty of the Law In Wittness whereof
 we have Caused these our Letters to be made Patents Wittness our
 Self at our City of S.^t marys the Twenty third day of June in the
 Second year of our Dominion &.^a Annoq Dñi 1677

Charles absolute Lord & Proprietary of the Provinces of maryland
 & Avalon Lord Baron of Baltimore &.^c To all o.^r Judges Justices &
 other officers & ministers within our S.^d province of Maryland &
 (fol. 208) all other psons to whom these presents Shall Come Greeting in our
 Lord God Everlasting Know ye that whereas Thomas Curre late
 of Kent Co.^{ty} an Infant under the age of discretion Stands presented
 in our Provinciaall Court for Killing Elizabeth Walton late of Kent
 County by misadventure & ag.^t his Will We of our free Grace &
 meer mocon have pardoned Remitted released, acquitted Indemnified
 & discharged & by these p'sents do pardon Remitt Release acquitt
 Indemnifie and discharge the Said Thomas Curre of & from the
 Said Crime & all other offences by him at any time before the day
 of the date hereof done perpetrated or Comitted ag.^t us And do
 hereby Give & Grant unto the s^d Tho.^s Curre our firm peace w.^{ch}
 to us belongs by reason of the af.^d Crime So that we will from
 hence forward that the Said Thomas Curre Stand Right in any of
 our Courts if any pson whatsoever do him therein Implead And we
 do hereby Restore the Said Thomas Curre unto the Liberty of the
 Law In Wittness whereof we have Caused these our Letters to be
 made patents Wittness our Self at our City of S.^t marys the five &
 Twentieth day of Ap.^l in the Second year of our Dominion over our
 Said province Annoq Domini 1677

Charles Absolute Lord & Prop.^{ty} of the Provinces of maryland &
 Avalon Lord Baron of Baltimore &.^c To all our Judges Justices &
 other officers & ministers within our S.^d province of maryland &
 all other psons to whom these p'sents Shall Come Greeting in our
 Lord God Everlasting Know ye that Whereas Tho.^s ffloyd late of
 Ann Arundell Co.^{ty} planter at a Provinciaall Court held at our City
 of S.^t marys the Twentieth day of June Instant was Indicted ar-
 ranged & Convicted for killing Eagle Durant late of Ann Arundell
 County by misadventure & against his Will We of our free Grace &
 mere mocon have pardoned Remitted Released acquitted Indemnified
 & discharged And by these presents do pardon remitt Release acquitt

indemnifie & discharge the Said Thomas floyd of & from the S.^d Crime And do hereby Give & Grant unto the s.^d Thomas floyd our firm peace w.^{ch} to us belongs by reason of the af.^d Crime So that we will from henceforth that the S.^d Thomas floyd Stand Right in any of o^r Courts if any person whatsoever do him therein Implead, And we do hereby Restore the S.^d Thomas floyd unto the Liberty of the Law In Wittness whereof we have Caused these our Letters to be made Patents Wittness o.^r Self at our City of S.^t marys the Twenty third day of June in the Second year of our Dominion &^a Anno Dom one thousand Six hund.^d Seventy Seven

Liber C D

To the Hon.^{ble} Thomas Notley Esq.^r Lieu.^t Gen.^{ll} & Chief Gov.^r of maryland

The Humble petition of Rich.^d Okaine & martha his wife Humbly Sheweth

That yo.^r poor pet.^r through the Informa^{co}ns & Oaths of one Bell & Smith who were their Servants and they having been free Some differences have happened between yo.^r pet.^r & them & Some Suits in the Co.^{ty} Court been p^{er}secuted ag.^t them Since which Suits & differences stirred and moved the S.^d Bell and Smith have wrongfully Informed ag.^t your pet.^{rs} and upon their Evidence yo.^r pet.^{rs} have been found Guilty of five Severall Indictm.^{ts} and presentments Some against one & both & Some the other & have thereby Incurred the penalty of Severall Laws & yo.^r Hon.^{rs} Just displeasure & have Received Judgm.^t thereupon yo.^r pet.^{rs} humbly therefore Implore yo.^r Hon.^{rs} mercy and Clemency and to Grant them a pardon for the Corporall punishm.^{ts} due for the Same & withall to Considera^{co}n that this prosecution by Smith and Bell was not till Long time after the ffact Supposed to be Comitted & till Long time after they Came to be free & the differences af.^d were moved and that this is the first time they ever lay Guilty of any Such misdemeano.^{rs} And yo.^r pet.^{rs} as in Duty Bound Shall pray &^c

p. 173
(fol. 208)

(fol. 209)

Underneath yo^r above petition was written

m.^r Sec.^{ry} Calvert S.^r Let a pardon be drawn for Richard Okaine & martha his wife for the Corporall punishm.^t due for the hog Stealing & Likewise for uncaseing the hhd of Tob.^o und.^r my hand this fifth day of Oct.^r 1677

Thomas Notley

Charles Absolute Lord Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltemore &^c To all our Judges, Justices & other officers & ministers within our Said province of maryland & all other persons to whom these presents Shall Come Greeting in our Lord God Everlasting Know ye that Whereas Edward Newton of Dorchest.^r Co.^{ty} planter at a Provinciaill Court held at our City of S.^t marys the fifteenth day of ffebruary Instant was Indicted arraigned & Convicted for hog stealing We of our free Grace and mere

Liber CD motion have pardoned remitted Released acquitted Indemnified and discharged and by these present do pardon Remitt release acquitt Indemnifie & discharge the Said Edward Newton of and from the Corporall punishm.^t due for the S.^d Crime and do hereby Give and Grant unto the s.^d Edward Newton our firm peace w.^{ch} to us belongs by Reason of the ffelony af.^d So that we will from henceforth that the Said Edward Newton Stand Right in any of our Courts if any pson whatsoever Shall him therein Implead, And We do hereby Restore the S.^d Edw.^d Newton to the Liberty of the Law In Wittness whereof we have Caused these our Letters to be made patents Wittness our Self at our City of S.^t marys the Twentieth day of february in the third year of our Dominion &^a Annoq Domini 1677

RC Subp.^a Walter Dunch to Testifie for John Haslewood & Ann his wife Ex.^{rs} of John Avery p.^{lt} ag.^t Benj.^a Granger def.^t dat 2.^d march ret 9th Aprill 1677

Subp.^a George Gawry to Test in the Same Case

George Parker Replevin ad vic Com Cal: ag.^t Joseph Tilly for one man Servant named Thomas Norris one Woman Servant named Eliz.^a moore all the horses & mares upon the plantacon of the S.^d Joseph at Hunting Creek in the County of Cal: Called Tillington burnt with I L on the Left Buttock all his the Said Geo: Cows Calves Bulls Steers & heifers at the plantation afores.^d marked with a Swallow forke on the left Ear & Crop & three Slits on the Right Ear all his the Said Geo: Stock of Hogs there of the Same marke dat 25th ffeb: ret 9.th Aprill

(fol. 210) George Parker Replevin ad vic Com Cal: ag.^t Joseph Tilly for five feather beds, Bolsters Pillows Ruggs Blanketts Curtains Valence Bedsteads & furniture to the Same belonging five p.^t of Sheets
p. 174 Napkins pillow-Coates Severall pewter dishes plates Basons Candle-
(fol. 210) sticks & Chamber potts marked I T M & T M & without marks Containing 140.^{ll} weight one Great Brass Kettle three Iron potts Andiron Brass & iron Tongues, five Shovells & Spitts, the wearing apparrell of mary Tilly decd both Linnen & Woolen Silk and Stuff Six Turkey workt Chairs Six Russia Leather Chairs, all Chests Trunks nest of drawers, axes hoes nails Locks Gunnpowder and Shott Corn and Tobacco dat 25.th ffeb. ret 9.th Aprill 1678

An account of Land w.^{ch} may be Escheat to his Ldp

Ebdons Rest Containing one hundred acres w.^{ch} was in possession of Jn.^o Barrett who dyed Intestate & without issue Batchello^{rs} Delight two hundred & Sixty acres w.^{ch} was in possession of Edward Smith who dyed Intestate & without issue Informacon by Thomas Long Sheriff of the Same County

m.^r Sec.^{ry} Let Mandamus issue in usuall form for the within Liber C D
menconed Two parcells of Land returnable next Court

Thomas Notley

ffeb. 23.th 1677.

To the Hon.^{ble} W.^m Calvert Esq.^r Prov.^{ll} Sec.^{ry}
of maryland. ffeb. 25.th 1677

His Lordships Writt of mandamus then issued directed to Jn.^o
Stanesby & miles Gibson of Baltemore County Gentl to Enquire by
the Oaths of twelve &.^c what Lands John Barrett dyed Seized of in
the Co.^{ty} af.^d ret without delay

Mandamus then issued directed to John Stanesby & miles Gibson
of Bal Co: Gentl to Enquire by the Oaths of xij &^c what Lands
Edw.^d Smith dyed Seized of in the County aforesaid

KC Malachy Peale Replevin ad vic Com S.^t m: ag.^t Rich.^d
Ridgell for one Boat of Sixteen foot by the keel dat 25.th ffeb: ret
9.th Aprill 78

WW Tho: Waghob Replevin ad vic Com S.^t m: ag.^t Ja-
cobus Loton p one man Servant named W.^m Simpson dat 25th march
ret 9.th Aprill 1678

RR Subp.^a Thomas Marsh to Answer a Bill in Chant ats
Stephen Burle Ex.^r Robert Burle r^t 9.th Apr 1678

Charles absolute Lord Prop.^{ry} of the Provinces of maryland and (fol. 211)
Avalon Lord Baron of Baltemore &^c To all our Judges Justices and
other officers & ministers within our Said Province of maryland &
all other psons to whom these presents Shall Come Greeting in our
Lord God Everlasting Know ye that Whereas Thomas Price of S.^t
maries County planter at a Provinciall Court held at our City of
S.^t maries the fifteenth day of ffebruary Instant was Indicted ar-
raigned & Convicted of the ffelonies takeing of Eleven fathom of
Cable rope We of our free Grace & meer motion have pardoned
Remitted Released acquitted Indemnified and discharged and by these
presents do pardon Remitt Release acquitt Indemnifie and discharge
the Said Thomas Price of & from the felony af.^d And do hereby
Give & Grant unto the S.^d Thomas Price our firm peace to which
to us belongs by Reason of the ffelony af.^d So that we Will from
henceforth that the S.^d Thomas Price Stand Right in any of our
Courts if any pson whatsoever Shall him therein implead And We do
hereby Restore the S.^d Thomas Price to the Liberty of the Law In
Wittness whereof we have Caused these our Letters to be made
Patents Wittness o^r Self at our City of S.^t marys the Twentieth day
of ffebruary in the third year of our Dominion &^a Annoq Domini
1677

Liber C D Charles absolute Lord Proprietary of the Provinces of maryland &
 p. 175 Avalon Lord Baron of Baltemore &^c To all Judges Justices & other
 (fol. 211) offic.^{ts} & ministers within our Said province of maryland and all other
 psons to whom these presents Shall Come Greeting in our Lord God
 Everlasting Know ye that Whereas Roderick Jones of S.^t marys
 County planter at a Provinciaall Court held at our City of S.^t marys
 the fifteenth day of ffeb.^{ry} Instant was Indicted arraigned and
 Convicted of the ffelonies takeing of Eleven fathom of Cable Rope
 We of our free Grace & meer motion have pardoned Remitted
 Released acquitted Indemnified & discharged And by these presents
 do pardon Remitt, Release acquitt Indemnifie & discharge the Said
 Roderick Jones of & from the felony aforesaid And do hereby Give
 and Grant unto the Said Roderick Jones our firm peace w.^{ch} to us
 belongs by reason of the felony aforesaid So that we Will from hence
 forth that the Said Roderick Jones Stand Right in any of our Courts
 if any person whatsoever Shall him therein Implead And We do
 (fol. 212) hereby Restore the S^a Roderick Jones to the Liberty of the Law
 In Wittness wehereof we have Caused these our Letters to be made
 Patents Wittness our Self at the City of S.^t marys the Twentieth
 day of february in the third year of our Dominion &^a Annoq
 Domini 1677

Charles absolute Lord Proprietary of the Provinces of maryland &
 Avalon Lord Baron of Baltemore &^c To all our Judges & Justices and
 other officers & ministers within our s.^d Province of maryland & all
 other persons to whom the p'sents Shall Come Greeting in o.^r Lord
 God Everlasting Know ye Whereas John Oliver of S.^t marys Co.^{ty}
 at a Provinciaall Court held at our City of S.^t marys the one and
 Twentieth day of february last past was Indicted arraigned and
 Convicted of the ffelonious takeing of Seven Shillings and Six pence
 English money and one piece of Spanish mony Called a piece of
 Eight and upon his Conviction being demanded what he had to Say
 for himself why Judgment of Death Should not pass against him
 according to Law did thereupon Crave the benefit of Clergy w.^{ch}
 Was Granted him & the Booke being Shewn & Asked if he could
 Read or not Read answered that he Could not Read Whereupon
 Sentence of Death past against him according to Law We of our free
 Grace and meer motion have pardoned Remitted Released acquitted
 Indemnified and Discharged And by these p'sents do pardon Remitt
 release acquitt Indemnifie & discharge the Said John Oliver of and
 from the felony af.^d Provided the Said John Oliver be General hang-
 man in our Said province dureing life And also Provided the Said
 John Oliver Serve Richard Chillman or his assigns for & dureing
 the full time & Terme that he the Said John Oliver had to Serve at
 the time of the ffelony afores.^d comitted And that after the Expira-

tion of the Said time that he make Satisfaction to the Said Richard Chillman by Servitude for the Sheriffs fees due for his Imprisonm.^t And We do hereby Give and Grant unto the Said John Oliver our firm peace w.^{ch} to us belongs by reason of the felony afores.^d So that we will from henceforth that the Said John Oliver Stand Right in any of our Courts if any pson whatsoever Shall him therein Impleade And We do hereby Restore the S.^d John Oliver to the Liberty of the Law In wittness whereof we have Caused these our Letters to be made patents Wittness our Self at our of S.^t marys the Twenty fifth day of ffebruary in the third year of our Dominion &^a Annoq̄ Domini 1677

Liber C D

Charles &^c To all Inhabitants of our Province of maryland Greeting Whereas We did purpose & Intend to hold a Gen^{ll} Assembly of the ffreemen & Delegates of our Said province of maryland at our City of S.^t marys the Second Tuesday in may next Ensueing the date hereof w.^{ch} Said day being near at hand for Sev.^{ll} weighty & Urgent Occasions & affairs relateing to us, We have by the advice & Consent of our Privy Councill of our Said Province of maryland thought fit And do hereby declare & publish that the Same Gen.^{ll} Assembly Shall be & is hereby proroged from the S.^d Second Tuesday in may next untill the Sixth day of May w.^{ch} Shall be in the year of our Lord one thousand Six hundred Seventy & nine Whereof as well our members of our upper house of Assembly as also all the Deputys & Delegates of our Lower house of Assembly & all other the Inhabitants of our S.^d province of maryland whom it may Concern are to take notice, and So order their affairs accordingly and we do hereby order and Command our Respective Sheriffs of our Severall Countys that they upon Sight of this our Proclamation Immediately publish and proclaim the Same and Give their Respective Deputys & Delegates of their Sev.^{ll} Co.^{ty}s particular notice of our will & pleasure herein Given at S.^t maries under the Great Seal of our S.^d Province of Maryland Wittness our Self at our City of S.^t marys this fourteenth day of ffebruary in the third year of o.^r Dominion over Maryland Annoq̄ Domini 1677

p. 176
(fol. 213)

WW Tho: Waghob Replevin ad vic Com S.^t M: ag.^t Jacobus Loton p̄ one man Servant named W.^m Simpson dat 25.th march r^t 9th Ap.^l 1678

RR Bernard Johnson ag.^t John Abbingtion Subp.^a to R.^d marsham & John King ad Test dat 25th feb: r^t 9.th April 1678

Charles absolute Lord & Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltimore &^c To the Sheriff of Kent Co^{ty} Greeting Whereas by a Decree made before us in our Court of

- Liber C D Chancery in a Cause there depending between Tobias Wells p.^{1t} & John Wright & mary his wife adm.^{rs} of Bartholomew Glevin deēd def.^{ts} bearing date twelfth day of may in the forty Second year of the Dominion of our late father Cæcilus &c The Cause Comeing then to be heard in the presence of the Attorneys on both Sides the Comp.^{lts} Bill & Replication & the defendants Answer pleaded openly Read & heard & by the Court Considered of the Court was Clearly
- (fol. 214) Satisfied that the Quietus est in the defend.^{ts} Answer pleaded in Barr ag.^t the Comp.^{lts} Bill of Comp.^{lt} for the Sume of fourteen thousand three hundred & Seventeen pounds of Tobacco due by Recognizance from the s.^d Batholomew Glevin deēd to the Comp.^{lt} was not a Sufficient discharge of the Defendants ag.^t the Comp.^{lt} but the Same ought first & primarily to be Satisfied before debts of a Lower nature & thereupon Examination of Accompts by the Court the def.^{ts} having produced Severall Bills notes and Receipts in discharge of the S.^d Sume to the value of five thousand Six hundred & fifty one pounds of Tobacco & by the Comp.^{lt} allowed of The Court
- p. 177
(fol. 214) did thereby order and Decree that the Said John Wright and mary his wife do pay to the Comp.^{lt} as well the Sume of Eight thousand Six hundred Sixty and Six pounds of Tobacco the Remainder of the S^d Sum of fourteen thousand and three hundred & Seventeen pounds of Tobacco as also the Sum of Six thousand pounds of Tobacco for his Costs & damages in this behalf Sustained w.^{ch} Said Sume in the whole doe amount unto the Sume of fourteen thousand Six hundred Sixty & Six pounds of Tobacco To be by the Said John Wright and mary his wife paid to the Said Tobias Wells with w.^{ch} Said Decree the Said John Wright and mary his wife had been divers times duely Served & demand Severall times made of the Said Sume of fourteen thousand Six hundred Sixty & Six pounds of Tobacco decreed as afores.^d Yet the S.^d Jn.^o Wright & mary his wife had Refused to pay the Same or Give Obedience to the Said Decree as by the affidavit thereof made may appear whereupon Severall process of Contempt Issued out of our S^d Co.^{rt} ag.^t the Said John Wright & mary his wife to the late Sheriff of Kent deēd directed to enforce a performance of the Said Decree but before the Said John Wright Could be taken upon the Same he dyed after whose Death an attachm.^t issued out of our S^d Court ag.^t the S.^d mary alone the adm.^r of Glevin being for the debt of Glevin upon w.^{ch} attachm.^t to him also directed you he had returned that he had taken the body of the Said mary & that she was Languishing in prison Whereupon the Justices of our Said Court did order that a Sequestracon Should issue ag.^t the Estate both Reall and personall of the S^d Bartholomew Glevin and Jn.^o Wright then in the possession of the Said mary as well all the Lands and Tenements houses and plantations as all the Goods & Chattells merchandizes Summs of money or Tobacco Servants
- (fol. 215) Slaves Cattle hogs Horses mares as other the psonall Estate of them

the Said Bartholomew Glevin & John Wright or either of them in the S.^d County of Kent w.^{ch} were in the possession of her the Said mary or any other for her use or by her order Guift Grant or Delivery or by the Order Guift Grant or delivery of the Said John Wright deēd Since the date of the Said Decree & that he Should Seize and Sequester the Same into his hands & the profits or pceeds thereof or of any part thereof arising by Sale thereof he Should deliver to the Said Tobias Wells in Satisfaction of the S.^d fourteen thousand Six hundred Sixty Six pounds of Tobacco Decreed as af.^d as all his Costs and Charges by him Sustained in prosecuteing the S.^d decree and damages for the non performance thereof & nonpaym.^t of the Tobacco decreed Such & So much as our Justices of our Said Court Shall adjudge Reasonable he having first Certified our Said Court of his full & and whole proceedings in the premisses and forasmuch as Since the issuing out of the Said Sequestration the Said Mary Wright is also Dead & the Said Tobias Wells is Likewise Since dead having left Mary his Relict his full and Sole Executrix who is Since Married to Lewis Blangy of your Said County And the Said Lewis Blangy and mary his wife haveing humbly Supplicated us in our Said Court that they might be Capacitated to Receive the fruit and Benefit of the S.^d Decree & Sequestracon & that y.^e Said Sequestracon might be renewed and to you directed to do & Act therein in all things as to our late Sheriff was Commanded w.^{ch} was Ordered accordingly the Seven & Twentieth day of Aprill last past And we being Informed that the Said Mary Wright in her life time to the Intent to defeat the Said Decree hath Devised or Given & Granted away the S.^d John Wright & Bartholomew Glevin's Reall & personall Estate to Thomas ffrances & Phillip Conner or Some others & that they will Remove all the psonall Estate out of our Said County We willing that Speedy Justice Should be done in the premisses Do therefore hereby Authorize and appoint you to Enter into Seize and take possession & into your hands to Sequester as well all y.^e Lands & Tenem.^{ts} Houses & plantations w.^{ch} were lately the Lands of the S.^d Bartholomew Glevin & John Wright or either of them in your County as also the Goods & Chattells merchandizes Sumis of money or Tobacco Servants or Slaves Cattle hogs horses mares or other the psonall Estate of the s.^d Bartholomew Glevin & John Wright or either of them in your County as af.^d w.^{ch} late were in the possession of her the s.^d mary or any other for her use or by her Order Gift Grant or Delivery or by the Order Gift Grant or Delivery of the s.^d John Wright deēd Since the date of the S.^d Decree or are in the hands of Thomas ffrancis or Phillip Conner or either of them or any other person whatsoever in your County & that you Sequester the profits or pceed thereof or any part thereof arising by a Sale thereof & deliver to the S.^d Lewis Blangy & Mary his wife for Satisfaction of the Said Sume of fourteen thousand Six

Liber C D

p. 178
(fol. 215)

(fol. 216)

Liber C D hundred Sixty Six pounds of Tobacco Decreed as af.^d and all Costs and Charges Sustained in prosecuting the s.^d Decree & Damages for nonperformance thereof and nonpayment of the Tobacco Decreed Such & So much as our Justices of our Said Court Shall adjudge Reasonable you having first Certified us in our Court af.^d of your full & whole proceedings in the premisses & what Lands Goods or Chattels & to what value you Shall So Sequester and Seize as af.^d And that you Return Such yo.^r Certificate to us in our Court of Chancery wheresoever it Shall then be on the nineteenth day of June next together with this writt And hereof fail not at your peril Wittness our Self our City of S.^t marys y.^e Second day of may in the first year of o.^r Domin.ⁿ over our Said province Annoq̃ Domini 1677.

RC Lewis Blangy & Mary his wife adm.^{rs} of Disborah Bennett Replevin ad vic Com Kent ag.^t Thomas Brite for 19 head of Cattle dat the 13.^o Apr ret 11.th June 1678

p. 170
(fol. 216) GP John Abbington at the Suit of Bernard Johnson Subp.^a ad Test John King & Richard Marsham dat 9.th ret 10.th April 1678

RC Charles &^c To the Sheriff of S.^t marys County Greeting Whereas a Certain order or Decree was made before us in our Court of Chan.^{ry} Between Thomas Sprigg p.^{lt} & Thomas Trueman defend.^t bearing date the ninth day of October one thousand and Six hund.^d Seventy Seven it was thereby for the Reasons therein Contained amongst other things Ordered and Decreed that the defend.^t Thomas Trueman Should pay unto the Comp.^{lt} all Such Charges & Damages as the S.^d Comp.^{lt} had laid out Expended and Sustained by non performance of a Certain agreem.^t in the Said order menționed to be made Between the p.^{lt} and def.^t & in his the Comp.^{lt} moving his family and Stock from his own plantation to the S.^d Trueman's plantațion & in Seating Building Clearing and fenceing y.^e Same & all other necessary Charges relateing thereunto according to the writeing under the hand of Thomas Trueman Deducting thereout all Such Summe or Summs of Tobacco as the S.^d Comp.^{lt} had or without his willfull Default might have Recēd out of the s.^d plantațion by the percepțion of the profits thereof from the time of his Entry thereinto till he left the Same And for as much as it was not known to our Said Court what Charge & Damages the S.^d Comp.^{lt} had laid out & Expended or Sustained by nonperformance of the Agreement af.^d & in Seating Clearing and Building upon the plantațion afores.^d & other Charges relating thereunto or what profits had been by him received as afores.^d and for that the Same was properly at the Common Laws by a Jury and accordingly for that purpose a writt of Enquiry of Damages was by order of our Said Court Ordered to issue to you directed We do therefore Command you

(fol. 217)

that you Cause to Come before our Justices of our Provinciall Court to be held at our City of S.^t marys the Eleventh day of June next Twelve Good & Lawfull men of your Bailywick to Enquire what Charges and Damages the S.^d Comp.^{te} hath laid out & Expended or Sustained by nonpformance of the Agreem.^t af.^d & by the Clearing Seating & building upon the premisses & other Charges relating thereunto And what the S.^d Comp.^{te} hath or without his own Willfull default might have Received by the perception of the profits thereof as af.^d and hereof fail not at your peril & have you there this writt Wittness our Self at our City of S.^t marys the Eighth day of may in the third year of our Dominion &c Annoq̄ Domini 1678

IR Subp.^a Edward Dorsey & Sarah his wife And Richard Hill to Answ.^r a Bill in Chancery ats Tho.^a Bland & Damaras his wife dat 17.th may ret 15.th June 7 p 1678

RC Subp.^a Geo: Godfrey of Ch: Co: to appear to Revive the Suit in Cant in y^e name of Eliz.^a Beck, mary Beck & Marg.^t Beck Daughters & Coheires or R.^d Beck late of Ch: Co: deēd all infants under y.^e age of 21 years by Eliz.^a Beck their mother & Guardian dat 16.th may ret 11.th June 1678

RC Subp.^a Benj.^a Rozer Esq̄ Robert Robins & Tho. Allison ad Testificand: int Beck & Godfrey in p.^{te} Beck dat 16th may ret 11.th June

RR Subp.^a ffrancis Green ad Testificand Johnson & Abington dat 29.^{ht} may ret 11.th June

June 11.th 1678

Commission for Sheriff of Calvert Co.^{ty} then issued to Cap.^t Henry Darnall with writt of assistance

To the Right Hon.^{bte} the Lord Proprietary

The Humble petition of John Warren of S.^t marys Co.^{ty} Humbly Sheweth to yo.^r Lordpp̄

Jn.^o Warren pet.^r ord.^r & mandamus That yo.^r Lpp̄s peticon.^r is possessed of a piece of Land Called Newtown Lying at Newtown at the mouth of Brittain's bay Containing by Estimation four hundred & fifty acres w^{ch} Said Land dureing yo.^r pet.^{rs} life is yo.^r pet.^{rs} but being Escheated at his decease will be yo.^r Lordpps

Yo.^r Lordpp̄s humble pet.^r therefore humbly prays that your Ld̄p would be pleased to Confirm the Same upon y^r pet.^{rs} his heirs for Ever & that a mandamus may issue out of the Sec.^{rys} office to Enquire who are the heirs to the S.^d Land

Liber C D And yo.^r Lordpps humble pet.^r as in duty bound Shall Ever pray &^c
 Underneath the above petition was written Let a writt of man-
 damus be issued out touching the s^d abovemention'd
 Cha Baltemore

(fol. 218) Charles &^c To Clement Hill & Richard Gardner of S.^t marys
 County Greeting We Command you that by the Oaths of twelve
 Good & Lawfull men of our S.^d County of S.^t marys by whom the
 truth of the matter may the better be known & Enquired of that
 you diligently Enquire who is the Right owner of a parcell of Land
 Containing four hundred and fifty acres Lying in Brittain's bay on
 the South Side of the S.^d bay in S.^t marys County af.^d now in the
 possession of John Warren & by what Title & how & in what manner
 the S.^d John Warren hath & doth hold & Enjoy the Same what
 those Lands & Tenem.^{ts} are of value by the year in all issues who
 hath paid the Rent for the Same & to whom & who is heir to the
 Same & the Inquisition thereof distinctly & openly made to us in our
 Chancery und.^r yo^r hands And Seals & the hands & Seals of those
 by whom it Shall be made without delay you Send & this writt
 Wittness our Self at the City of S.^t marys the Twelfth day of June
 in the third year of our Dominion &^c Annoq Dom one thousand Six
 hund.^d Seventy Seven

Aprill 13.th 1678

Commission for Sheriff of S.^t marys Co.^{ty} then issued to Gerrard
 Slye with writt of assistance

June 14.th 1678

Commission for Sheriff of Talbot Co.^{ty} then issued to Vincent
 Lowe Esq with writt of assistance

p. 181
 (fol. 218) June 12.th 1678

Commission for Sheriff of Ann Arundell County then issued to
 John Welsh with Writt of assistance

June 14.th 1678

Comiss.ⁿ for Sher of Kent County then issued to Mich.^{ll} Miller
 with writt of assistance & writt of discharge to Thomas Marsh late
 high Sheriff of the Same County

June 29.th 1678

Mandamus then issued to George Parker & Rich.^d Ladd of Calvert
 County Gent that by the Oaths of xij &^c they Enquire what Lands
 John Tucker dyed Seized of &^c ret without delay

RC Charles &c To Ignatius Mathews Greeting We Com^dmand you that Imediately after the Sight hereof you pay unto W.^m Gwyther or the bearer of this writt the Sum^e of 6207.¹¹ Tob.^o Costs adjudged him the S.^d William by our Court of Chancery in a Cause there depending Between him the S.^d William p.^{te} & you def.^t & hereof you are not to fail under the pain Ensueing Wittness &c dat 5.th July 1678 Liber C D

RC Charles &c To Richard Johns & Eliz.^a his wife & Thomas Sparrow Greeting We Com^dmand you that Imediately after the Sight hereof you pay unto Thomas ffrancis or the bearer of this Writt the Sum^e of 2002.¹¹ Tob.^o Costs adjudged him the Said Thomas by our Court of Chan.^{ry} in a Cause there depending between him the s.^d Thomas p.^{te} & you defend.^t And hereof you are not to fail under the pain Ensuing Wittness &c dat 5.th July 1678

~~Andrew Peterson & George Oldfield to appear in Chan.^{ry} the 6.th day of oct next~~ (fol. 219)

July 10.th 1678

Mandamus then issued to Henry Hosier & Benjamin Randall of Kent County Gent that by the Oaths of twelve &c they Enquire what Lands Robert Hood dyed Seized of &c ret without delay

July 10.th 1678

Mandamus then issued to George Parker & Richard Ladd of Calvert County Gent that by the Oaths of Twelve &c they Enquire what Lands John Tucker dyed Seized of &c ret without delay

July 10.th 1678

Mandamus then issued to Robert Carvile & Walter Hall of S.^t marys County Gent that by the Oaths of xij &c they Enquire what Lands John Halfhead dyed Seized of &c ret without delay

RC Subp.^a Andrew Peterson & George Oldfield to Answer a Bill in Chancery at the Suit of Jn.^o Browning ret 8.th Oct.^r 1678

To the Hon.^{ble} Thomas Notley Esq^r Chief Governour of maryland
The Humble petition of Henry Elliott Sheweth

That John Halfhead deēd for a valuable Considera^{co}n paid & to be paid by yo.^r pet.^r who Intermarried with Jane the Relict & Adm.^r of the S.^d John purchased of W.^m Gwyther a p^{ce}ll of Land for four hundred acres Called Brushy neck Lying in S.^t mary's County whereon yo.^r pet.^r now dwells under the yearly Rent of five bushell of Sheld Indian Corn w.th a Clause of Reentry upon non-

Liber C D paym.^t of the Rent as appears by the Deed hereunto Annexed Jn.^o Halfhead dyed Intestate & without issue whereby the s.^d Land is become Escheatable to his Lord^{pp} the Lord Prop.^{ry} of this Province

Yo.^r Pet.^r doth humbly request that his L^{ds} Writt of Mandamus p. 182 may issue to Enquire in the p^rmisses & that if upon Return of the (fol. 219) Inquisition thereupon the S.^d Land Shall be Legally Escheated his L^{ds} Letters Patent may issue for the Same in the name of your Pet.^r Reserving thereunto the S.^d William Gwyther the af.^d Annuity of five Bushells of Sheld Indian Corn if thought fit

And as in duty Bound he Shall pray

July 10.th 1678

Let Mandamus issue directed to Robert Carville & Walter Hall Gent as is Requested Thomas Notley

To m.^r Sec.^{ry} Calvert These

Charles &^e To our beloved John James of Cæcil Co.^{ty} Gent Greeting we Reposeing Sp.^{ll} Trust & Confidence in yo.^r fidelity & Care do hereby Constitute & appoint you the S.^d John James to be one of the Coroners of our S.^d County of Cæcil And to do & perform all Such Acts & things as to the office of a Coroner belongeth within the S.^d County You have first taken y.^r Oath of fidelity to us & the Oath of a Coroner hereunder written before Some Justice of the peace of the S.^d County w.^{ch} you are Required forthwith to do Given under the Great Seal of our s.^d province of maryland the Eighteenth day of June in the third year of our Dominion &^e Anno^q Domini one thousand Six hundred Seventy Eight Wittness our (fol. 220) Trusty and Well beloved Thomas Notley Esq^r our Lieu^t Gen.^{ll} & Chief Governour of our Said Province of maryland

June 18.th 1678

Commission then issued to Henry Hanseloe to be Coroner for Ann Arundell County

Commission to be Coroner of Charles County issued the Eighteenth day of June 1678 to John Stone, Humphrey Warren

The Coroners Oath

You Shall Swear that you will well & truly Serve the Right Hon.^{ble} the Lord Prop.^{ry} of this Province & the people of the S.^d Province as one of his L^{ds} Coroners of this Co.^{ty} of Cæcil and therein you Shall diligently & truly do & accomplish all & Every thing & things appertaining unto yo.^r after the best of your Skill & power both for his L^{ds} profits & the Goods of the Inhabitants within the Said County & be Content with the f^{ees} allowed by Act of Assembly in this Province

So help you God &^e

Delegates for assessing the publique Levy Anno 1678

Liber C D

Kenelm Cheseldyne for S. ^t marys City	{	Jn. ^o Homewood Ann Arundell Co. ^{ty}
William Hatton S. ^t marys County		Coll. ^o Geo: Wells Balt. ^e Co. ^{ty}
John Douglas Charles County		James ffrisby Cæcil County
Richard Hall Calvert County		John Edmonson Talb. ^t County
Henry Hosier Kent County		John Stevens Dorch. ^r Co. ^{ty}
		W. ^m Stevens of Som. ^t County

Let Summons issue for the abovementioned Delegates to be & appear at the Court-house in S.^t mary's City for assessing the publick Levy of this province the first day of Octob.^r next Given under my hand 15.th June 1678
 Tho^s Notley
 To m.^r Sec.^{ry} Calvert These

Charles &c To the Sheriff of S.^t marys County Whereas we did by a Certain writt under the hand and Seal of office of our Dear Uncle Phillip Calvert Esq; Chancellour Judge & Commissary Gen.^{ll} for probate of Wills & Granting Adm.^{tion} &c to you directed Comanded you to Cite & Summon Edmond Dermott that he be & personally appear at S.^t marys before our S.^d Judge for probate of Wills & the first day of february last past to give an acc.^t upon Oath unto Garrett Vansweringen Adm.^r of the Goods & Chattells Rights and Creditts of John Deery deēd for what he is privy to in concern of y.^e Estate of the Intestate & of the Trust Reposed in him in the Interim between the Death of the S.^d Deery and the S.^d Garrett his admittance to the adm.^{tion} of the S.^d Estate And that the s.^d Dermott bring with him all papers & writeing thereunto relateing w.^{ch} by any means or ways whatsoever hath come to his the s.^d Dermotts hands in the time of Such Trust before mentioned w.^{ch} S.^d Edmond Dermott although by you Summoned by virtue of the Writt af.^d appeared not in Contempt of our S.^d writt And whereas the s.^d Edmond Dermott is upon Departure out of our S.^d Province & may depart before he hath Rendred & Given an accompt upon Oath as af.^d We therefore Command you that you take the body of him the Said Edmond Dermott if found within yo^r Bailiwick & him Safe keep till he hath Entered into Recognizance with Good & Sufficient Sureties to Render & Give unto the Said Garrett Vansweringen Adm.^r as af.^d a true & Just accompt as af.^d & hereof you are not to fail under the pain Ensueing Wittness o.^r Self at our City of S.^t marys the fifteenth day of July in the third year of our Dominion &c Anno Domini 1678

p. 183
(fol. 220)

(fol. 221)

July 18th 1678

Mandamus then issued to W.^m Stevens & ffrancis Jenkins of Som.^t County Gent that by the Oaths of xij &c they Enquire what Lands Macham Thomas dyed Seized of &c ret without delay

Liber C D RC Humphrey Davenport Replevin ad vic Com Talbot ag^t Tho^s Hothud for one Woman Servant Called Sheely Donnoughway dat 13th Aug.^t ret 8.th October 1678

RC Subp.^a Job Nutt Citizen & Grocer of London & Michael Tawney of Calvert C: Gent to Answer a Bill in Chan.^{ry} ats Henry Jowles of Cal Co Gent & Sibel his wife Ex.^{trs} of the last will & Testam.^t of W.^m Groom deēd ret 8.th Oct 1678

Aug.^t 7.th 1678

RC Came Robert Carvile Gent who undertook for Kenelm Mackloughlin in the Sumē of Twenty thousand pounds of Tobacco that he the s.^d Kenelm Mackloughlin Should prosecute his Replevin ag.^t Tho: Russell for his unjust detaining a Sloop Called the John & Ann w.th the Tackle furniture boat & Oars to the Same belonging of the s.^d Kenelm Mackloughlin as it is Said & to make Restitution to the S.^d Russell if to him Shall be adjudged with Damages

July 29.th 1678

IB Came John Barnes of S.^t m: C: who undertooke for Thomas Harris in the Sumē of three thousand pounds of Tob: that he S.^d Tho: Harris Should prosecute his Replevin ag.^t Tho: Pattison for his unjust detaining of a man Servant Called Rowland Morgan of the s.^d Tho: Harris's as it is Said & to make Restitution to the s.^d pattison if to him Shall be adjudged with damages

p. 184
(fol. 221) Aug.^t 7.th 1678

IB Came Edward Man Tal. Co: who undertooke for Phillip Pococke in the Sumē of Eight thousand pounds of Tob: y.^t the s.^d Phillip Pococke Should prosecute his Replevin ag.^t Thomas Smith Sloopman for his unjust detaining of one Chest one Sait of Cloaths Eleven Ells & a half of Oznabriggs fourteen Ells threequarters fine Hainbrough Cloth ten Ells & a half of Holland Twenty Seven y.^{ds} blew linnen, nine nine Castar Hatts, one piece of filletting 8 p.^r of Stockins four Ounces of fine thread one pound of Nutmeggs three thousand pinns, one Coasting Coat, one Doz.ⁿ Stocklocks one pair Shoes one Rundlett with Brandy & one matchcoat of y.^c S.^d Phillip Pocock as it is Said & to make Restitution to the S.^d Smith if to him Shall be adjudged with damages

(fol. 222) Aug.^t 13.th 1678

RC Came Richard Royston of Tal. Co.^{ty} who undertooke for Humphrey Davenport in the Sumē of four thousand pounds Tob: that the S.^d Humphrey Davenport Should prosecute his Replevin ag.^t Thomas Hothud for the unjust detaining of one woman Serv^t

named Sheely Donnoughway of the S.^d Humphrey Davenport as it Liber C D
is Said & to make Restitution to the S.^d Hothud if to him Shall
be adjudged w.th Damages

July 1678

IB Came Michael Offley of Ann Arundell Co.^{ty} who became
surety for Tho: Bland in the Summe of Six thousand pounds of Tob.^o
y.^t the s.^d Tho: Bland prosecute his Replevin ag.^t Edw.^d Dorsey for
the unjust detaining of one man Servant Called Joseph fletcher
of the s.^d Tho^s Bland as it is Said & to make Restitution to the
s.^d Dorsey if to him Shall be adjudged with damages

May 8.th 1678

KC Came John Blomfield of S.^t marys County who became
Surety for Peter Sayer in the Summe of four thousand pounds of
Tob that the s.^d Peter Sayer prosecute his Replevin ag.^t Jn^o Allen for
the unjust detaining of one horse Called Roane of the S.^d Peter
Sayers as it is Said & to make Restitution to the S.^d Allen if to
him Shall be adjudged with damages

May 8.th 1678

KC Came Jn^o Blomfield of S.^t marys Co.^{ty} who became
Surety for Peter Sayer in the Summe of Eight thousand pounds of
Tob.^o y.^t the s.^d Peter Sayer psecute his Replevin ag.^t Jn.^o Sander for
y^e unjust detaining of one horse Called Cooper marked on the near
Buttock & one horse Called Archy of the S.^d Peter Sayers as it is
Said & to make Restitution to the S.^d Sanders if to him Shall be
adjudged with damages

May 8.th 1678

KC Came Jn.^o Blomfield of S.^t marys County who under-
took for Peter Sayer in the Summe of four thousand pounds of Tob.^o
y.^t y.^e S.^d Pet.^r Sayer psecute his Replevin ag.^t John Cole for the
unjust detaining of one horse Called Twiggs of the S.^d Peter Sayers
as it is Said & to make Restitution to the Said Cole if to him Shall be
adjudged w.th damages

May 10.th 1678

Came Edw.^d Parish of Ann Arundell Co.^{ty} undertook for Thomas
Taylor Esq in the Summe of fourteen thousand Six hundred p.^{ds} of
Tob. that the S.^d Thomas Taylor prosecute his Replevin ag.^t W.^m
Ball for the unjust detaining of Six Cows two Steers one Bull & two
heifers of the S.^d Thomas Taylors as it is Said & to make Restitution
to the s.^d Ball if to him Shall be adjudged with damages

Liber C D March 15.th 1678

KWW Came William Williams of S.^t marys Co.^{ty} who undertook for Tho: Waghob in the Sumē of 8000.^l y.^t the s.^d Thomas Waghob prosecute his Replevin ag.^t Jacob Loton for unjust detaining of one man Servant named W.^m Sympson of the Said Thomas Waghob's as it is Said & to make Restitution to the Said Jacob Loton if to him Shall be adjudged with damages

p. 185
(fol. 222)

July 25.th 1678

IB Came Henry Exon of S.^t marys Co.^{ty} who undertook for Jn.^o Blomfield in the Sumē of four thousand pounds of Tobacco y.^t the s.^d Jn.^o Blomfield prosecute his Replevin ag.^t Garrett Vanswering for the unjust detaining of one Servant named James Wilkins of the S.^d Jno Blomfield, as it is Said & to make Restitution to the S.^d Vanswering if to him Shall be adjudged with damages

ffeb. 25.th 1677

RC Came Charles Boteler & Thomas Clegatt who undertooke for George Parker in the Sumē of Eighty pounds Sterl y.^t the S.^d Geo: Parker psecute his Replevin ag.^t Joseph Tilly for the unjust detaining of one man Servant named Thomas Norris one woman Servant named Eliz.^a moore all the horses & mares upon the plantation of the s.^d Joseph at Hunting Creek in the County of Calvert Called Tillington burnt w.th 1 L on the Left Buttock all his the Said George Cowes Calves bulls Steers & heifers at the plantation af.^d marked with a Swallowfork on the left Ear a Cropp & three Slits on the Right Ear all his the S.^d Geo: Stock of hogs there of the Same marke of the S.^d Geo: Parkers as it is Said & to make Restitution to the s.^d Tilly if to him Shall be adjudged with damages

(fol. 223)

ffeb: 25.th 1677

RC Came Charles Boteler & Thomas Clegatt who undertook for George Parker in the Sumē of Eighty pounds Sterl y.^t y.^e S.^d Geo: Parker psecute his Replevin ag.^t Joseph Tilly for y.^e unjust detaining of five feather bedds Bolsters pillows Ruggs Blanketts, Curtains Valence, bedsteads & furniture to the Same belonging of five pair of Sheets Napkins pillow coats, Severall Pewter dishes, plates Basons, Candlesticks and Chamber potts marked I ^TM & T M & without marks Cont.^a 140^l Weight one Great Brass Kettle three Iron potts, Andirons Brass & iron Tongues five Shovells & Spitts, y.^e wearing apparell of mary Tilly deēd both Linnen & woollen Silk and Stuff Six Turkey work Chairs Six Russia Leather Chairs, all Chests Truncks nest of Drawers axes hoes nails Locks Guñs powder and Shott Corn & Tobacco of the s.^d George Parkers as it is Said & to make Restitution to the s.^d Tilly if to him Shall be adjudged with damages

IB John Blomfield Replevin ad vic Com S.^t m: ag.^t Garrett Liber C D
Vansweringen for one Serv.^t named James Wilkin dat 25.th July ret
8.th Oct.^r 1678

At a Court of Chan.^{ry} held at y.^e City of S.^t marys the
Eighteenth day of June in the year of o.^r Lord one thou-
sand Six hund.^d Seventy eight Present

The Hon.^{ble} Tho: Notley Esq Chief Judge in Equity

The Hon.^{ble} Phillip Calvert Esq Chancellour

The Hon.^{ble} W^m Calvert Esq Secretary

The Hon.^{ble} Baker Brooke Esq Surveyo^r Gen.^{ll}

The Hon.^{ble} maj.^r Benjamin Rozer Esq

Between Tho: ffrancis p.^{lt} Solomon Sparrow Rich^d Johns &
Elizabeth his wife & Thomas Sparrow defendants

This Cause Coming on in the Docquett of Causes this day It was
alleadged by Robert Carville att^{ny} of the Comp.^{lt} in the p^rsence of
George Parker attorney for the def.^{ts} that the S.^d Comp.^{lt} upon the
Seventh day of ffebruary in the year of our Lord one thousand
Six hundred Seventy & Six did Exhibit his Bill of Complaint into
this Court ag.^t the Said Defendants thereby Setting forth that
one Thomas Sparrow deēd being Seized in ffee of a parcell of
Land Lying in Ann Arundell Co.^{ty} Called Locust Neck did in
Consideration of the Sume of Seven thousand & five hundred pounds
of Tobacco to him p.^d by the Comp.^{lt} by his writinge under his
hand & Seale bearing date the fifteenth day of October one thousand
Six hundred Sixty Seven acknowledged to have Sold the S.^d Comp.^{lt}
the S.^d Locust neck w.th the Land thereunto adjoyning & marked
w.^{ch} Said Land he did Ingage himself to make a Good assurance
according to Law when it Sho.^d be Surveyed & the S.^d Thomas
Sparrow did Give the Complain.^t possession thereof who Entered
thereinto & became possessed thereof & by virtue of that Title only
(as was usuall in this Country in the infancy thereof for others to
do) he held y^e Same till about the Latter End of the year one thou-
sand Six hundred Seventy three the Comp.^{lt} being Ignorant of
matters of this nature went to take advice about his Title & being
informed that the s.^d Land was not by the writinge af.^d Sufficiently
assured unto him the Comp.^{lt} went to the Said Thomas Sparrow to
have the Said Land Confirmed unto him by a Good Deed in Law &
to have the Same Laid out & Surveyed by a Skillfull Surveyo.^r
according to the writinge af.^d And thereupon it was by the S.^d
Thomas Sparrow & the Comp.^{lt} agreed that the meets & bounds
might be Set out and distinguished & the quantity of area known &
that the Same Should be done & Survey'd by George Yates Gen a
Dep^{ty} Surv.^r und.^r Baker Brooke Esq Surveyo.^r Gen.^{ll} who upon the

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(fol. 223)

(fol. 224)

Liber C D last day of February one thousand Six hund.^d Seventy three Caused the Same to be Surveyed & made his Return to this Effect That he had Laid out the Land of Thomas Sparrow of the County of Ann Arundell Sold unto Thomas Francis of the Said County Gent out of the Dividents belonging to the Said Sparrow, Lying in Road River Beginning at a marked Dogwood Tree Standing at the head of a branch of a Cove Called Locust Neck Cove & Running north West & by West one hundred and fifty perches to a Bounded Hickory then West and by north half a point northward Eighty pches to another Bounded Hickory Standing on the South Side of a branch Called Long Branch then from the Said Hickory North fifteen pches to the West line of the Said Line of the Said Sparrows Divident of Land then East three hundred pches to a Bounded oake of the s.^d Divident Standing at the mouth of a branch Called Nettlefould branch then bounding on Shaws Creek for Length of one hundred & thirty pches to a Bounded oake Standing opposite a Small Island Called mulberry Island then bounding on the Said River & a Cove Called Locust Neck Cove & the branch of the Said Cove to the first bounded Tree containing one hundred forty Six acres of Land more or Less as by the s.^d Certificate under the hand of the Said Deputy Surveyo.^r may appear upon making of w.^{ch} Survey the Comp.^{lt} applied himself to the Said Thomas Sparrow & desired to have the S.^d Land made firm to him & his heirs for Ever according to the meets and Bounds w.^{ch} he faithfully promised to do and upon the fourth day of Aprill one thousand Six hundred Seventy four he accepted of one hundred pounds of Tobacco in full for Eight years Rent Reserved on the s.^d Land But before the Said Land was Confirmed by Sufficient Deed as aforesaid the Said Tho: Sparrow dyed Leaveing Elizabeth his wife & Solomon Sparrow his Brother his Ex.^{rs} with Thomas Sparrow an Infant of very Tender Years his Son & heir who notwithstanding they all know that the Comp.^{lt} was a purchaser for a valuable Consideration of the Land & premisses & that it was the true Intent & meaning of the Act of Assembly in that Case made and Provided to Relieve purchasers for a Valueable Consideration where the Deed had been defective & the s.^d Solomon & Elizabeth now the wife of the S.^d Richard Johns as well for them as the S.^d Infant heir to Consent to Such Lawfull Act as this Court Shall think fit for the Sure Estateing the p'misses on the Said Comp.^{lt} Therefore and for the Wittnesses that were p'sent when the said Comp.^{lt} paid the Consideration & the s.^d Thomas made the ingagem.^t af.^d under his hand to w.^{ch} they Set their names as Wittnesses is one Dead & the other Gone out of this Province by Reason whereof he Cannot make Such proofs of the premisses & purchase af.^d as the Law Requireth but is onely to be Relieved in Equity Therefore to have the s.^d Solomon Sparrow Richard Jones & Elizabeth his wife & Thomas Sparrow who knew the premisses to be true might

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(fol. 224)

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Answer the Same & Shew if any they had why the Said Land Should not be decreed to the Said Complt to his heirs for Ever ag.^t the said Thomas Sparrow deēd & his heirs & all Claiming by from or under him & that the Said Land might be Decreed accordingly the S.^d Comp.^{lt} Craved the aid & assistance of this Hon.^{ble} Court & that process of Subp.^a might be thereout awarded ag.^t the s.^d defend.^{ts} to appear in this Court & Answer the S.^d Comp.^{ts} Bill the w.^{ch} being Granted & the defend.^{ts} there with all Served as by affidavit appears they did all by the Said George Parker their Attorney appears accordingly But the Said defend.^{ts} not putting in their Answers to the Said Bill by the time by this Court allowed them for doing thereof an attachm.^t of Contempt was by this Court awarded against them & they Still Standing in Contempt for not answering as af.^d they being as they pretended not free to Swear or to put in any answer upon Oath It was this present day by y.^e Comp.^{ts} Councell & Attorney as af.^d in the presence of the Said defend.^{ts} moved the Court that the Said might be taken pro Confesso & that the s.^d Lands might be decreed accordingly this Court demanding of the s.^d defend.^{ts} att.^{ev} if he had any thing to Say why the S.^d Decree Should not pass w.^{ch} not opposeing but owning of the Substance of the Bill to be true in Such manner and form as by the Same is Set forth & before Recited This Court doth thereupon think fitt & So order & Decree that the s.^d Comp.^{lt} do hold & quietly & peaceably Enjoy the s.^d Lands & p^rmisses Called Locust Neck aforesaid according to the meets & bounds afores.^d to him & his heirs for Ever ag.^t the s.^d Thomas Sparrow the Elder or any of the s.^d Defend.^{ts} or any other p^rson or p^rsons whatsoever Claiming by from or und.^r them or any of them according to the true Intent & meaning of the s.^d writeing under the hand & Seal of the s.^d Thomas Sparrow the Elder as afores.^d

Lett this be Enrolled

Phillip Calvert

RR Subp.^a Garrett Vansweringen of S.^t marys C: Gent to Answ.^r a Bill in Chan.^{ry} at the Suit of John Quigley dat 26 Septemb.^r ret 8. Oct.^r 78 p. 188
(fol. 225)

KC Edw.^d Gunnell ag.^t Jonathan Sybrey writt of Error Supsedeas & Sci: fa.^c dated y.^e 23 June 1678 ret to y.^e upper house of Assembly y.^e 2^d Tuesday in may 1678

KC Edw.^d Gunnell ag.^t Jon.^a Sybrey Sci fa.^c dat 1.th Novemb.^r ret to y.^e upper house of Assembly y.^e 2.^d ditto 1678

m.^r Sec.^{ry} Calvert

(fol. 226)

Lett Commission be drawn for Isaac Winchester to be Coroner of Kent Island Given under my hand 11th Novemb.^r 1678

Thomas Notley

Liber C D Novemb.^r 14.th 1678

Commission then issued to Isaac Winchester to be Coronor of Kent Island

GP Subp.^a Paul Dorrell the heir of Thomas Tournor to Answer a Bill in Chan.^{ry} ats Thomas Bucknall 30.th Octob.^r ret 5.th march 1678

TB Subp.^a James Rigby to Answer a Bill in Chan.^{ry} ats Hugh Merriken 20.th Novemb.^r ret 5.th march 1678

RC James Mills Replevin ad vic Com Kent ag.^t John Ireland for one Brigantine of y.^e pper Goods & Chattells of the s.^d James dat 21.th Nov.^r ret 5.th march 1678

Nov.^r 21 1678

RC Came John Barnes & John Garvis of S.^t M: C: who undertook for James Mills in the Sum of ten thousand pounds of Tobacco that the s.^d James Mills psecute his Replevin ag.^t John Ireland for the unjust Detaining of one Brigantine of the Said James Mills as it is Said & to make Restitution to the S.^d Ireland if to him Shall be adjudged with damages

RC James Mills Replevin ad vic Com Bal ag.^t John Ireland for one Brigantine of the proper Goods & Chattells of y.^e S.^d James dat 21 Nov.^r ret 5.th march 1678

Novemb.^r 2.^d 1678

Mandamus then issued to W.^m Stevens & John Winder of Som^rset Co.^{ty} Gent that by the Oaths of xij &c they Enquire what Lands David Williams Dyed Seized of &c ret without delay

p p^r Thomas Bland & Damoras his wife ag.^t Edw.^d Dorsey and Sarah his wife Subp.^a in Chan.^{ry} to Rejoyn & Joyn in Commission ret 4.th march dat 23th Jan.^{ry} 1678 Bland

TB Subp.^a George Parker to Answer a Bill in Chan.^{ry} ats Joseph Tilley dat 21.th January ret 4.th march next 1678

p p^r Subp.^a Lawrance Draper Henry Mathews & George Brebent ad Testificand inter Thomas Bland & Damoras his wife & Edw.^d Dorsey & sarah his wife in p.^t Bland dat 23.th January ret 28.th february 1678

p p^r Subp.^a Richard Everyweary, W.^m Gosnell & Joseph fletcher ad Testificand inter Bland & ux & Dorsey & ux in p.^t Bland dat 23.th Jan.^{ry} ret 28.th feeb.^{ry} 1678

RR Ralph ffishborne ag.^t Humphrey Davenport Writt of Liber C D
Error & Supersedeas dat 26.th December ret 4.th march 1678

GP George Yate Adm.^r of the Goods & Chattells of Robert
Wilson Deēd Replevin ad vic Com Baltemore ag.^t W.^m Cromwell
for one Grey Gelding dat 28.th Jan.^{ry} ret 4.th march 1678. Henry
Jowles Security 4000^l Tob^o

ffeb.^{ry} 1.st 1678

Mandamus then issued to John Coode & Justinian Gerrard of
S.^t marys Co.^{ty} Gent that by the Oaths of xij &c they Enquire what
Lands Thomas Dynyard dyed Seized of &c ret without delay

CR W.^m Plainer ag.^t Amos Parsons Writt of Error Su-
persedeas & Scire facias dat 15th ffebruary ret 4.th march 1678

Charles &c To our Com.^{rs} of S.^t marys County Greeting because (fol. 227)
in the Record & process as also in the Rendring of Judgment before
you in our Said Court ag.^t Richard Walker at the Suit of Thomas
Lomax manifest Error happened to the Great damage of the s^d p. 189
Rich.^d Walker as by the Great Complaint of the Said Richard we (fol. 227)
have Received We Willing that the Errors (if any be) Should in
due manner be Corrected and full and Speedy Justice to be done to
the Said parties in this behalf do Command you that the Records
and process of the s^d Judgm.^t with all things touching the Same
before our Justices of our Prov.^{ll} Court to be held at our City of S.^t
marys the Eighth day of Octob^r next under your hands and Seals
distinctly and openly you Send that Inspection being had of the
Record and proceedings therein We may Cause further to be done
what of Right and according to the Laws & Constitutions of this
Province ought to be done therein and that you have there this
Writt Wittness &c 28.th Septemb^r 1678

CR Charles &c To our Sheriff of S.^t m: County Greeting
because in the Record & process as also in the Rendring of Judgem.^t
before our Com.^{rs} of our S.^d County Court ag.^t Richard Walker at the
Suit of Thomas Lomax manifest Error hath happened to the Grieve-
ous damage of the Said Richard as out of his Complaint we have
accepted the Record & pcess of w.^{ch} Said Judgm.^t before our Justices
of our Provincia^{ll} Court to be held at S.^t marys the Eighth day of
Octob.^r next we have Caused to be Sent And we being willing that
the Errors if any be Should in due manner be Corrected & full &
Speedy Justice to be done to the Said parties we Command you that
by honest & Lawfull men of your Bailywick you make known to
the S.^d Thomas Lomax and that he be before our Justices of our
Prov.^{ll} Court at the day and place afores.^d to hear the Record

Liber C D afores.^d if to him it shall seem Expedient and further to Stand to and abide what our Said Court Shall Consider of in that behalf And have you there this writt Wittness &^c dat 28.th Septemb.^r 1678

CR Richard Walker ag.^t John Shanks Witt of Error and Sci: facias dat 28.th September ret 8.th Oct.^r 1679 drawn ut Supra

CR Charles &^c To our Com.^{rs} of our County of Som^rset Greeting because in y^e Record & process as also in the Rendring of Judgm.^t before you in our S^d Co.^{ty} against William Planner at the Suit of Amos Parsons manifest Error hath happened to the Great damage of y.^e Said Will^m Planner as by the Great Complaint of the S.^d W.^m we have Received we willing that the Errors (if any be) Sho^d in due manner be Corrected & full & Speedy Justice to be done to the s.^d parties in this behalf do Command you that the Record & process of the S.^d Judgm.^t with all Witnesses touching the Same before our Justices of our prov.^{ty} Court to be held at o.^r City of S.^t marys third day of June next under your hands and Seals distinctly & openly you Send that Inspection being had of the Record and proceedings We may Cause further to be done what of Right & according to the Laws & Constitutions of this Province ought to be done therein & that you have there this Writt, Wittness our Self &c dat 20.th march 167⁸/₉ ret [3^d] June

CR Charles &^c To our Sheriff of Som^rsett Co.^{ty} Greeting because in the Record & process as also in y.^e Rendering of Judgm.^t before our Co.^{ty} of o.^r S.^d County Co^{ty} ag.^t W.^m Planner at y.^e Suit of Amos Parsons manifest Erro.^r hath happened to y.^e Grieveous damage of y.^e Said W.^m as out of his Complaint we have accepted the Record & process of w.^{ch} Said Judgment before o.^r Justices of our Prov.^{ty} Court To be held at Saint Marys the third day of June next We have Caused to be Sent & We being Willing the Errors (if any be) Should in due manner be Corrected & full & Speedy Justice to be done to the S.^d parties, We Command you that by honest & Lawfull men of your Bailywick you make known to the s.^d Amos Parson And that he be before our Justices of our Provinciall Court at the day and place afores.^d to hear the Record af.^d if to him it Shall Seem Expedient and further to Stand to and abide what our Said Court Shall Consider of in that behalf And that you from further takeing molesting and Imprisoning or him the s.^d W.^m Planner by that Occasion any ways molesting you altogether Superse- And if him the Said William for that occasion and no other y.^e have taken, him without delay you Set at Large, And have you there this Writt Wittness our Self dat 20.th march 167⁸/₉

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(fol. 228)

RR Ralph ffishborne ag.^t Humphrey Davenport Witt of Error dat 22.th march ret 3^d June 1679

RR Subp.^a Richard Royston to Answer a Bill in Chancery Liber CD
ats Symon Icons dat 22.th march ret 3.^d June 1679

RR Subp.^a Edward Pym to Answer a Bill in Chan.^{ry} ats
Jon.^a Sybrey Gent dat 7.th march ret 10.th march 1678

TB Subp.^a James Rigby of Ann Arundell Co.^{ty} Gent to
Answer a Bill in Chan.^{ry} ats Hugh Merikin dat 15.th march ret 3.^d
June 1679

RC Subp.^a Coll.^o W.^m Burgess ad Testificand: inter Thomas
Bland & ux & Edw.^d Dorsey & ux & in p.^{te} Dorsey dat
day of march ret without delay

RR Subp.^a Mary Roe of Talbot County widow Ex.^r of
Edw.^d Roe to Answer a Bill in Chan.^{ry} ats Nicholas Hackett in p.^{te}
Hackett dat march ret 3.^d June 1679

GP George Yate Adm.^r of the Goods and Chattells of Rob.^t
Wilson defed Replevin ad vic Com Bal ag.^t [W.^m] Cromwell for one
Grey Gelding dat 13.th day of march ret 3.^d June 1679

RC Charles absolute Lord & Prop.^r of the Provinces of
maryland & Avalon Lord Baron of Baltemore &c To the Sheriff of
Calvert Co.^{ty} Greeting Whereas we are Informed that Christopher
Haswell of Bristol merch. now Resident in Calvert County within
this Province hath taken away Received & disposed of and Caused to
be Carryed on board the Ship Sarah & Elizabeth Rideing in Putuxent
River whereof is master Rich.^d White by the Seamen of the Said
Ship four & Twenty hogsheads of Tobacco weighing neat ten thou-
sand four hundred forty & one pounds of Tob.^o being the Tobacco
of Theophilus Turford merchant and by him and his Order formerly
Received marked and Numbered Contrary to the Act of Assembly
in that Case made and Provided Whereby he is Lyable to Restore
to the Said Turford by the Said Act four fould w.^{ch} Comes to
forty one thousand Seven hundred Sixty and four pounds of Tobacco
and for the Recovery whereof the Said Theophilus Turford hath
Commenced his a^on of Trespass of the Case ag.^t the Said Chris-
topher Haswell in the Provinciaall Court and the Said Richard
White being almost ready to Set Sail with his Said Ship for
Bristoll and the Said Christopher Haswell designing to go in the
Said Ship and to depart this province before the Said Theophilus
Turford Can possibly bring his Said a^on to a Tryall for the Recov-
ery of the Tobacco aforesaid whereby the s.^d Theophilus Turford
for want of Speciall Bayle to the a^on afores.^d to abide Judgm.^t
Shall be utterly deprived of the fruit and benefit of the s.^d Act &

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(fol. 229)

Liber C D aēon and defrauded of his Tobacco to his Great Damage as by the Great Comp.^{lt} of the Said Theophilus we have Received We do therefore hereby Strictly Charge and Command you that you take the Body of the s.^d Christopher Haswell and him Safe keep untill he Shall Enter Good & Sufficient Security of the penalty of Eighty three thousand five hundred Twenty and Eight pounds of Tobacco to appear to the Said Aēon and to Stand to & abide Such Judgm.^t as Shall be thereupon Given by the Justices of our Said Provinciaall Court at the hearing of the Cause & Satisfie & pay the Condemnaēon mony or Tobacco if any be adjudged to the Said Theophilus Turford and hereof fail not at your peril and that you make Return of this our writt and your proceedings thereupon to our Justices of our Said Court to be held at our City of S:^t marys the third day of June next Ensueing Wittness our Self at our City of S^t marys the Six and Twentieth day of Aprill [in the] year of our Lord one thousand six hundred Seventy nine [and] in the fourth year of our Dominion over our Said province of maryland

To the R.^t Hon.^{ble} Charles absolute Lord & Prop.^{ry} of the Province of Maryland

The Humble Petition of [James] Pascall of Calvert County Sheweth

That William Paggett Late of Ann Arundell County deceased dyed possessed of three hundred acres of Land Lying in the County af.^d in his Demesne as of ffee and Devised the Same Some time before he dyed in and by his last Will & Testam.^t unto his two Sons and their heirs who dyed Orphants and your Petitioner the Son of Sarah the Sister of the s.^d Paggett doth Conceive himself to be heir to the Said Land and that the Same may be Legally Inquired into

Yo.^r petition.^r doth most humbly beg your Lordpp to order that a mandamus issue to Nathan.^{ll} Heathcoate & George Parker Gent That by the Oaths of Twelve &^c they diligently Inquire concerning the s.^d Land And if the Same Shall happen to be Escheated to your Ldpp That yo.^r petition.^r may have thereof And in duty bound Shall pray &^c

On the Backside of the foregoing Petiēon was written Viz.^t

Let a Writt of mandamus issue out according to the request of the pet.^r

To W.^m Calvert Esq^p Sec.^{ry}
or to his Chief Clerke

C Baltimore

may 3.^d 1679

Mandamus then issued to Nathaniell Heathcoate & George Parker Gentl that by the [Oathes of t]welve &^c they Enquire what Lands William Paggett dyed s[eized of &] ret without delay

To the R.^t Ho[n^{ble} the] Lord Prop.^{ry} of Maryland & Avalon
 Lord Baron of Baltimore &^c
 March 15.th 1678

Liber C D
 (fol. 230)

By Virtue of a Speciall Warrant bearing date the Twentieth day of february one thousand Six hundred Seventy Seven these are in humble ma to Certifie that I George Yate Deputy Survey under Baker Br[ooke] Esq Survey.^r Gen.^{ll} have Laid out and Resurveyed for William Hun[t a] parcell of Land Called Maidstone afterwards possessed and held of one W.^m Crosley for three hundred and fifty acres of Land as appears it Beginneth at a Bounded white oake it being a bounded Tree of a parcell of Land formerly laid out for Thomas fford Called Goury Bancks and Running west Two hundred & Twenty five pches to a Bounded white Oake Standing by a branch of Lands Creek then North three hundred and twenty pches to a Bounded white Oake Standing in the line of the Land formerly laid out for Samuell Chew Esq Called Sanckley and bounding on the s^d Land and the Land Called Goury Bancks to the first Bounded Tree Containing & now laid out for four hundred and fifty acres of Land more or Less To be held of the manno.^r of Ann Arundell

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p me Geo: Yate Deputy Surveyo.^r

On the Backside of the foregoing Petiçon was Written Viz.^t
 March 24.th 1678

Let Mandamus go out of the Sec.^{rys} office to Satisfie whether the Land within mençioned be Escheated or not C. Baltimore
 To W^m Calvert Esq Sec.^{ry} or to his
 Chief Clk at his office at S.^t Marys

Charles &^c To Nathaniell Heathcoat & Samuell Lane of Ann Arundell Co.^{ty} Gent Greeting We Command you that by the Oathes of twelve Good & Lawfull men [of our said] County of Ann Arundell you diligently Inquire who ha Occupy a Certain Tract of Land Containing by Survey and Gr[ant under] the Great Seal of our S.^d Province to W^m Hunt late of Ann Arundell County the five and Twentieth day of Septemb.^r one thousand Seven hundred Sixty three Three hundred & fifty acres & who the issues & profits thereof hath or doth receive by what Title and howe in what manner, And that you diligently Inquire who hath paid the Rent for the Same, and to whom & the Inquisition thereof distinctly openly made to us in our Chancery under your hands & Seals & the hands & [seales o]f these by whom it Shall be made without delay you Send an Writt Wittness &^a dat 24.th march 1678

Between John Haselwood & his wife p^{lt} Benjamin Granger defend.^t In Chancery

Liber C D The p.^{lt} John Haselwood maketh oath that upon the Eight & Twentieth day of January Last past he this Deponent did in the presence of John Wall & Thomas Marshall deliver unto Mary Granger wife of the defend.^t Benjamin Granger being then at the
 (fol. 231) house of John Pollard in Little Choptanck River in Dorch.^r Co.^{ty} a Writt of Execution of a Certain Decree made in this Cause under the Great Seale of this Province & Enquire of her for her husband but She Said She Could not tell what ome of him nor whither he was Gon & this Depon.^t desired her wh
 See her husband to deliver the s.^d Writt of Execution to him w.^{ch}
 Said Writt of Execution was directed to the Said defend.^t and was for him to unto the Comp.^{ts} the Sume of four & Twenty pounds Sterl & three thousand three hundred fifty five pounds of Tobacco Costs of Suit w.^{ch} Said Se[veral said] Suñes this Depon.^t then & there demanded of the S.^d Mary Granger
 She Said her husband was Gon & left her neither money nor Tobacco hath the S.^d Depon.^t or any for him paid the S.^d Suñs or Either any part of them to this Depon.^t And this Depon.^t further Saith that presently or about three Weeks after the pronouncing of the Said Decree the S.^d Benj.^a Granger did privately and as this Depon.^t believes fraudulently to defeat the p.^{lt} of the benefit of the Said Decree by Some Deed [or wri]teing under his hand & Seale Sell assigne & Sett over unto Jo[hn Pol]lard of Dorchest.^r Co.^{ty} all his the Said Benjamin Granger Cattle Cropp household Stuff Land & Tene-ments w.^{ch} the Said Benjamin Granger had in the Said County & the S.^d John Pollard is now in possession of the S.^d Granger's Land & Carried away the Corn & Tobacco privately by night of w.^{ch} this Comp.^{ts} have notice & went to the Said Pollard at Granger's
 p. 193
 (fol. 231) house where Pollard had brought Severall persons to Carry away the Corn and Tobacco & other things about the house & this Depon.^t did then forewarn them from Carrying the Same away or medling with any thing there for that Granger being Gone his Estate was Lyable to Satisfie the Comp.^{ts} debt and Costs decreed to him, But Pollard Said he had bought all and he would Carry it away in Spight of this Comp.^{ts} teeth and forewarned this Comp.^{ts} from the S.^d Plantation And this Depon.^t Can make it appear that the Said Pollard Long before he bought either Land or Goods was privy to a maid acquainted with the Said Decree and when he heard thereof he the Said Haselwood Gott a decree ag.^t him well then now its my time to do Something or used Such like Expressions and that presently upon it he Sent for Granger & his wife to Lye in thereat his house and thereupon they made their bargain and Granger fearing the Decree aforesaid would Come against him did not Stay to acknowledge but made Phineas Blackwood a person Servant or Retainer to Pollard his Attorney to acknowledge the Deed and went

his way for Virginia, and this Depon.^t hath heard, And further this Depon.^t Saith not Sworn the fourth day of march 1678/9

Liber C D

Philip Calvert

Which Deposition being read and heard Ordered in open Court It is Ordered by the Court y.^e Seventh day of march in y.^e Fourth year of o^r Dominion &^c that future process be returned here this day to Witt y.^e Seventh day of march in the fourth Year of of our Dominion &^c that all future within fifteen days after the process that Shall issue forth ag.^t the defend^t Benj.^a Granger be made Returnable within fifteen days after the date of any Such process (fol. 232)

Charles &^a To the Sheriff of Dorchester County Greeting We Comand you that you attach Benjamin Granger if he Shall be found in yo^r Bailywick and him Safe keep So that you have his Body before us in our Court of Chan.^{ry} the three & Twentieth day of this Instant month of march where Soever it Shall then be to Answer unto us as well touching a Certain Contempt by him the S.^d Benj.^a ag.^t us Comitted as is Said as to Such other things as Shall then & there be objected against him And further to do & Receive what our Said Court Shall in his behalf Consider of and this you may in no wise and have you there this Writt Wittness our Self at our City of S.^t marys the Eighth day of march in y.^e fourth year of our Dominion &^a Annoq Domini 1678 P: Calvert Cam

On the back side of the aforegoing attachm.^t of Contempt was Written Viz.^t

By the Court

On the behalf of John Haselwood & Ann his wife Ex.^{rs} of John Avery for the breach of a Decree

The within menconed Benjamin Granger is not to be found within my Bailywick Tho: Taillor Sheriff

Reced by the hands of John Haselwood march 25.th 1679

Nic Painter Cl.

To the Right Hon.^{ble} the Lord Proprietary

The Rich.^d Edelen Ex.^r of Samuel Cressey decd on the behalf [of the or]phants of the Said Samuell Humbly Sheweth unto Ldpp

That Samuell Cressey in his life time at a Provinciall Court did Enter into Recognizance together with John Haggister Geo: Godfrey and Thomas Cocker in the penalty of Twenty pounds Sterl on the Said Cressey's part for the Good behaviour & appearance of the Said Haggister who is Since fled out of this Province whereby the Recognizance is forfeited and Samuell Cressey's Estate Lyes Lyable to Satisfie to your Lopp the S^d Sum of twenty pounds Sterling (p. 194 (fol. 232))

Now So it is may it please yo.^r Lopp Samuell Cressey dyed in debt more than his Estate doth amount unto at least Twelve thousand

Liber C D pounds of Tobacco So that there will not be anything left for the
(fol. 233) maintenance of y.^e two poor Orphans Mary & Susanna, Wherefore
yo.^r Pet.^r doth humbly beg yo.^r Lopp to Give & bestow on y.^e Said
mary & Susanna y.^e Twenty pounds Sterl the forfeiture of the Recog-
nizance & to ord.^r yo.^r pet.^r to keep the Same in his possession for
the use of the S.^d Orphans

And yo.^r pet.^r & Orphans as in Duty bound Shall Ever pray &c^a

Underneath the above petition was Written Viz.^t

Granted

C Baltimore

RR Charles &c To our Justices of our Provinciaall Court
Greeting Because in the Record & process as also in the Rendring of
Judgm.^t in a plea which was lately before you in our S.^d Court Be-
tween Robert Williams of old England merch.^t p.^{te} & Garrett Van-
sweringen of the City of S.^t marys Gent of a plea of debt as it is Said
manifest Erro.^r hath happened to the Great damage of the S.^d Garrett
Vansweringen as by the Great Complaint of the said Garrett we have
Received We willing that the Erro.^r if any be Should in due manner
be Corrected and full & Speedy Justice to be done to the s.^d partys in
this behalf. We Comānd you that if Judgm.^t thereof be Rendered
then the Record & process of the plea afores.^d with all things
touching the Same to us in our upper house of Assembly to be
holden at o.^r City of S.^t marys on y.^e last Tuesday in Sep.^r next und.^r
yo.^r hands distinctly & openly you Send that Inspecon being had of
the Record & proceedings therein We may Cause further to be done
what of Right & according to y.^e Laws & Constitutions of this Our
province ought to be done and have you then & there this Writt
Wittness our Self dat 22.th march 1678

RR Charles &c To our Sheriff of S.^t marys Co.^{ty} Greeting
because in y.^e Record & process as also in y.^e Rendring of Judgm.^t ag^t
Garrett Vansweringen at the Suit of Robert Williams in a plea of
debt it is Said manifest Erro.^r hath hapned to the Grieveous damage of
him the s.^d Garrett as out of his Comp.^{te} we have accepted as by the
Record & process thereupon Between y.^e partys af.^d of that plea by
Virtue of our Writt of Correcting the Erro.^r to our Justices of our
Provinciaall Court directed & by them before us in o.^r upper house of
Assembly to be holden at our City of S.^t marys on the first day of
our S.^d Assembly's meeting being y.^e last two day in Sept.^r next
under their hands & Seals to be Sent, And because upon the s.^d writt
of Correcting of Erro.^r the Same Garrett
manuapcto.^{rs} for the appearance of him the s.^d in
o.^r Said upper house of Assembly on the Said day in
Sept.^r and So from day to day or at any day to him by us in o.^r
upper house of Assembly in y.^e p^rmisses p^rfixd or to be p^rfixd
untill the s.^d Writt of Correcting Erro.^r shall be determined and to

Satisfie the S.^d Robert his debt & damages if it Shall happen the Said Garrett the Said Last Tuesday in Septemb.^r or at any other day before us in our Said upper house of Assembly p^rfixd or to be p^rfixd Shall not appear & do not prosecute the Same with Effect, or if it Shall happen the Said Judgm.^t Should be affirmed Therefore We Command you that from further takeing arresting Imprisoning or him by that Occasion any ways molesting you altogether Supseade And if him the Said Garrett for that Occasion & no other you have taken him from the prison in which he is So detained (if upon that Occasion and no other he is detained) without delay you Cause to be delivered upon peril thereon falling, Wittness our Self dat 22.th march 1678

Liber CD
p. 195
(fol. 234)

RR Charles &^c To our Sheriff of S.^t marys County Greeting We Comānd you that by honest & Legall men of yo.^r Bailiwick you make known unto Rob^t Williams of Old England merchant that he be before us in our upper house of Assembly to be held at our City of S.^t marys the last Tuesday in Sept.^r next and So from day to day or at any day to him by us in our S.^d upper house of Assembly to be p^rfixd to hear the Record & process & Rendring Judgm.^t thereupon in a plea lately before our Justices of our Provincia^l Co.^{rt} at o^r City of S.^t marys depending Between the S.^d Robert Williams p.^{lt} & Garrett Vansweringen defend.^t in a plea of debt if to him it Shall Seem meet and further to do & receive that w.^{ch} we in our S.^d upper house of Assembly Shall Consider of in that behalf and how you Shall Execute this writt that you make known to us in our Said upper house of Assembly at the time & place af.^d and have you then & there this Writtt Wittness our Self dat 22.th march 1678

Endorsed Robert Graham & James Johnson Attorneys in this Province to the Within named Robert Williams

RR Charles &^c To the Sheriff of Calvert County Greeting Whereas John Duddlesoul & Thomas Duddlestone of the City of Bristoll merch.^{ts} have p^rsecuted out of our Provincia^l Court a Certain Writtt ag.^t Theophilus Turford late of yo.^r County merch.^t to Answer unto them of a plea that he Render unto them his Reasonable account of the time he was Receiver of the Goods merchandizes and Tobacco of them the Said John & Thomas & which to them to make Justly he ought and for that Comp.^{te} is made unto us on the Said John & Thomas that the Said Theophilus being ffacto.^r of the S.^d Jn.^o & Thomas in this province hath in the hands of theirs the Sum of one hundred forty nine pouds Seven Shillings Sterling & one hundred nineteen thousand Seventy and two pounds of Tobacco for w.^{ch} he hath not accounted with them or either of them but Account for the Same to make wholly Refuseth for Remedy whereof the S.^d John & Thomas have Commenced their S.^d A^cōn of account ag.^t the s.^d Theophilus in our s.^d Provincia^l Court as

Liber C D afores.^d And further that the s^d Theophilus is Resolved & designed
 (fol. 235) Speedily to depart this Province before he hath Effectually Answered
 the S.^d acon and the Cause thereupon be brought to Tryall for the
 Recovery of the Tobacco and money af.^d whereby the S.^d John &
 Thomas for want of Speciall Bayl to abide Judgm.^t in the s^d acon
 Shall be deprived of the [Bene]fit thereof, We therefore Command
 you that you take the Body [of the] Said Theophilus Turford &
 him Safely keep untill he Shall with Good & Suffi-
 cient Security in Double y.^e Suñe to a Accon & to
 Stand to & abide Such Judgm.^t as Shall be thereupon
 Justices of our S.^d Provinciaall Co.^{ty} at the hearing and
 Satisfie & pay the Condemnacon to y.^e Jn.^o & Tho.^s & how you shall
 [pros]ecute this our Writt that you make known to us at y.^e
 City of S.^t marys y.^e 3.^d day of June next & have you there this
 Writt, Wittness our Self dat 1.st may 1679

p. 196 RC Subp.^a John Blomfield to Answer a Bill in Chan.^{ry} ats
 (fol. 235) Luke Barbier dat 23.th may ret 3.^d June 1679

RC Subp.^a John Quigley to Answer a Bill in Chancery ats
 marke Cordea dat 21.th may ret 3.^d June 1679

p p^r Subp.^a James Chilcott to Answer a Bill in Chancery ats
 George Parker dat 1.st may ret 3.^d June

To the Right Hon.^{ble} the Lord Prop.^{ry} of this Province of maryland
 The Humble Petition of John Arding of Baltemore Co.^{ty}
 Most Humbly Sheweth

That yo.^r Pet.^r and one Edward Smith deēd about Seven years
 Since agreed to take up a parcell of Land in Baltemore County
 Wherein they were to be Joynt Patentees & the Charges of Rights
 Survey & Patent to be Equally defrayed betwixt them; yo.^r Pet.^r paid
 all ffees as may be Testified by m.^r George Yate and permitted Smith
 to take forth a Patent for the Same in his own name Edward Smith
 dyed Intestate & without heirs whereby his Land is become Es-
 cheatable to yo.^r Lo^{pp}

Yo.^r pet.^r doth humbly beg that yo.^r Lo^{pp}'s Writt of mandamus
 may issue to Enquire what Lands the S^d Smith dyed possessed of in
 Baltemore Co.^{ty} And if the Land w.^{ch} was to have been betwixt yo.^r
 pet.^r & Smith w.^{ch} Contains Two hundred & Sixty acres Called
 Batchello.^{ts} Delight Shall be Escheated to yo.^r Lo^{pp} that yo.^r pet.^r
 may have a Patent for the Same upon defraying the Sworn Charges
 & other ffees that will be due yo.^r pet.^r having hitherto paid yo.^r
 Lpps Rent for the Same.

And as in duty bound he shall pray &c

march 10.th 1678

Liber C D

Mandamus then issued to Miles Gibson & John Waterton of Baltimore County Gentl that by the Oath of Twelve &^c they Enquire what Lands Edward Smith dyed Seized of in Baltimore County ret without delay dat 23.th may 1679

KC Thomas Hagelton ats Thomas Trueman Writt of Error (fol. 236)
& Sci. fac dat .th may 1679 ret to the upper House of Assembly the last Tuesday in September next

March 10.th 1678

Mandamus then issued to Henry Adams & Ignatius Causeene of Charles County Gent that by the Oaths of Twelve &^c they Enquire what Lands William Herd dyed Seized of &^c ret without delay

march 11.th 1678

Mandamus then issued to Nathaniell Heathcoate & Richard Hall of Ann Arundell County Gent that by the Oaths of twelve &^c they Enquire what Lands Thomas Hall died Seized of &^c ret without delay

march 27.th 1679

Mandamus then issued to Nathaniell Heathcoat & Samuell Lane of Ann Arundell County Gent that by the Oaths of xij &^c they Enquire what Land Oliver Holloway dyed Seized of &^c ret without delay

March 28 1679

Mandamus then issued to W.^m Burgess & Nathaniell Heathcoate of Annarundell County that by the Oaths of xij &^c they Enquire what Lands Henry Caplin dyed Seized of &^c ret without delay

Charles &^c To Henry Ad[ams &] Ignatius Causeene of Charles Co.^{ty} Gent Greeting We Command you [that by] the Oaths of Twelve Good & Lawfull men of our Said County by [whom the truth] of the matter may the better be known & Enquired of [you diligently] Enquire Concerning a parcell of Land Lyeing in Charles Co Containing by Estimacon Six hundred acres Called Green Spring & formerly in the possession of James Lindsey decd & of what manno.^r & under what Rents and Services and how much those Lands and Tenements are of value by the year in all issues & at what Time the S.^d James Lindsey dyed & who is his next heirs & what age the heir is & who those Lands & Tenem.^{ts} hath or doth Occupy & the issues & profits hath or doth receive and by what Title & how & in what manner & who hath paid the Rent for the Same & to whom & whether the Said Tract of Land do not Lye within & is part of our manno.^r of Pangayah And the Inquisition

p. 197
(fol. 236)

Liber C D thereof distinctly and openly made to us in our Chancery under yo.^r hands & Seals & the hands and Seals by whom it Shall be made w.thout delay you Send & this Writt Wittness our Self dat 15.th march 1678

Charles &^c To Clement Hill & Rich^d Loyd of S.^t marys Co.^{ty} Gent Greeting We Comānd you that by the Oaths of Twelve Good & Lawfull men of our S.^d County of S.^t marys by whom the truth of the matter may the better be known & Enquired of you diligently Enquire who is the Right owner & heir of a tract of Land Called the mill Land Lying at the head of Brittan's Bay in our S.^d County of S.^t marys & of what manno.^r & what age the heir is & under what Rents & Services & how much those Lands and Tenem.^{ts} are of value by the year in all issues & who those Land and Tenem.^{ts} hath or doth Occupy & the issues & profits hath or doth receive & by what Title and how & in what manner & who hath paid the Rent for the Same & to whom & the Inquisition thereof distinctly and openly made to us in our Chancery under yo.^r hands & Seals & the hands & Seals by whom it Shall be made without delay you Send & this Writt Wittness our Self dat 15.th June 1678

Ap.^{li} 24.th 1679

Mandamus then issued to Robert Carville & John Manley of S.^t Marys County Gentl that by the Oaths of xij &^c they Enquire what Lands Robert Sheale dyed Seized of &^c ret without delay

Charles &^c To Ignatius Mathews of Charles County Greeting We Command you that Immediately after the Sight hereof you pay unto W.^m Gwyther of S.^t Mary's Co.^{ty} or the bearer of this writt the Sume of Six thousand two hund.^d & Seven pounds of Tobacco, Costs adjudged him the S.^d W.^m Gwyther by o.^r Court of Chan.^{ty} in a Cause there depending between him the s.^d W.^m Comp.^{lt} & you defend.^t & hereof you are not to fail under the pain Ensueing Wittness our Self at our City of S.^t marys y.^e 5.th day of July in the third year of our Dominion &^a Annoq Dom 1678

The Originall was Delivered by m.^r John Hartwell on the third day of Octob.^r 1678

Robert Carville

On the backside of y.^e aforegoing writt was Written Viz.^t

W.^m Gwyther p.^{lt} Ignatius mathews def^t

John Hartwell maketh Oath that upon the third day of Octob.^r Instant he did deliver to m.^r John Breed of Charles Co.^{ty} a writt of Subp.^a issued out of the high Court of Chancery of which this is a Copy under the Seale of this Court & that the S.^d Ignatius Mathews & his mother the wife of m.^r John Breed was then & there p^rsent & this Depon.^t did then demand of the S.^d Ignatius & his s.^d father

& mother the tobacco within menconed but they refused to pay the Same nor have they yet paid the Same to the p.^{it} or this Depon.^t to this Depon.^{ts} knowledge

Liber C D

John Hartwell

Sworn in Open Court

Nic Painter Ct

m.^r Sec.^{ry} Calvert

Let Patents be drawn for the Severall persons undermenconed to be Coroners for S.^t marys County Given under my hand y.^e Seventeenth day of October 1678

p. 198
(fol. 237)

Thomas Notley

Octob.^r 17th 1678

Commission then issued to Thomas Gerrard to be Coron.^r of S.^t marys Co.^{ty}

Eod: die Comission then issued to Joshua Pille to be Coroner of S.^t marys County

Eod: die Commission then iss.^d to Jn.^o Coode to be Coroner of S.^t marys County

Eod: die Commission then iss.^d to George Thompson to be Coron.^r of S.^t marys Co.^{ty}

Octob.^r 21.th 1678

Commission then iss.^d to Thomas Hedge to be Coron.^r of Balt.^e County

CR Charles &^c To the Sheriff of S.^t Marys County Greeting Whereas Joseph Eaton mariner hath Commenced an action in o.^r Provinciaall Court ag.^t John Quigley merch.^t w.^{ch} as Yet Remaineth undetermined and Whereas the Said John Quigley is upon his Departure out of our S.^d Province of maryland & may depart before he hath answered the afores.^d action and if So the Said Joseph Eaton will be Left Remedyless therein These are therefore to will & Require you that you take the Body of the Said John Quigley if he Shall be found in yo.^r Bailywick & him Safe keep untill he Shall Enter into Recognizance wth Sufficient Sureties not to depart this Province untill he shall answer the action afores.^d And Shall do & perform what our Said Co.^{ty} Shall adjudge & determine therein & hereof you are not to fail Wittness &^c dat 12th march ret 3.^d June (fol. 238)

CR Benjamin Rozer Esq³ Ne Exeat Prov ad vic Com S.^t marys ag.^t Jn.^o Quigley drawn ut Supra dat & Return alike

To the Right Hon.^{ble} the Lord Proprietary

The Humble Petition of Mathew Read

Sheweth

That by Patent dated the Eighteenth day of Jan.^{ry} in y.^e Seven and Twentieth year of the Dominion of the R.^{ty} Hon.^{ble} Cæcilius &^c

Liber C D Annoꝝ Domini one thousand Six hundred fifty & Eight the s^d L^d Prop.^{ty} for the Consideracōn therein Expressed did Grant unto yo^r Pet^r a ꝑcell of Land Called Reading Lying on the South Side of Read's Creek in Chester River Butted & Bounded as in the s^d Patent is Expressed Containing & Laid out for four hundred & fifty acres more or Less

That yo.^r pet.^r hath Enjoyed the Same Ever Since till of late Certain ꝑsons viz.^t Robert Smith Thomas Heylius & Thomas Hynson have upon Colour of Some defect in the Mathematicall or Artificiall lines of yo.^r pet.^{rs} Said Patent (Notwithstanding the Same Land is in the Same Patent Bounded by naturall Bounds) Incroached upon the s^d Tract of Land And taken Patent or Patents for the Chief part of the Same without any Speciall warrant from yo^r Loꝛꝛ or yo^r Governo.^r for their So doing thereby Endeavouring to defeat yo^r pet.^r of the Principall & best part of the Said Land

Yo.^r Pet.^r therefore humbly prays that yo.^r Loꝛꝛ will Graciously please to Grant yo.^r Loꝛꝛs Speciall warr^t of Resurvey to be directed to Some able Artist to Lay out the af.^d Tract of Land according to the naturall bounds Expressed in the s.^d Patent And that if it Shall appear there be more than four hund.^d & fifty acres w.^{ch} in the Same Bounds Yo.^r pet.^r may be admitted upon proving & applying of Rights to take the Same up And that yo.^r pet.^r may upon Such Resurvey have a Patent of Confirmacon from your Loꝛꝛ for the four hund.^d & fifty acres w.^{ch} Shall appear to be intended by the s.^d Patent

Pet.^r took up really & Bona fide according to the Cond[itions] of plantation therein being and Published by yo.^r Lopp father decd

And your Petition.^r as in duty bound Shall ever pray &c

p. 199
(fol. 239) On the Back Side of the foregoing Petition was written Viz.^t
Let a Speciall warrant of Resurvey be Granted to the Petition.^r to have the Land within menconed Laid out not onely by the lines of m.^r Clerk's Survey but also by the naturall Bounds mentioned in the Patent that by View of both the Court may be the better able to do y.^r pet.^{rs} Right
C Baltemore
To W.^m Calvert Esqꝝ Sec.^{ry}

Whereas Mathew Read of Talbot County had Granted unto him by Letters Patent under the Great Seal of this Province bearing date the Eighteenth day of January Annoꝝ Domini one thousand Six hund.^d fifty Eight a parcell of Land for four hundred & fifty acres Lying on the East Side of Chesepeake bay & on the South Side of a River in the S.^d Bay Called Chester River on the South Side of a Creek in the s.^d River Called Reads Creek Beginning at a marked oake upon a Point by a branch, tending East, Running for breadth South West & by South one hundred Sixty & five perches to a branch Called Reads back Branch bounding on the South by a line drawn

East up the branch for Length three hundred Eighty pches, on the East by a line drawn North East & by North from the End of the East line Line one hundred Sixty & five pches untill it Intersect a paralell drawn from the first marked oake & branch & on the North by the Said branch & paralell on the West by the S.^d Creek And Whereas the Said Mathew Read hath Informed his Lo^{pp} the L^d Prop.^{ty} of this Province that Robert Smith, Thomas Hylings and Thomas Hynson have upon Colour of Some defect in the Mathematicall or Artificiall lines of the Said Patent Encroached upon, upon the lines of the Said Land And taken Patent or Patents for the Chief part of the Same without my Speciall warrant thereby Endeavouring to defeat him of the Principall and best part of the Said Land And humbly prayed his Lo^{pp} by a Special Warr.^t of Resurvey of the Said Land according to the Bounds Expressed in the Said Patent, And that if upon the Resurvey there Shall be found within the Bounds more than four hund^d & four acres that upon making Good Rights he might have the benefit thereof And it was Granted unto him

Liber C D

Lay out therefore & Resurvey in the name of the s^d Mathew Read the af^d Tract of Land not only by the lines of m.^r Clerk's Survey but also by the naturall Bounds mentioned in the Patent Provided the lines thereof Run not into any man's Lands of Ancient Survey or Land Resurvey for his Lo^{pps} use and Return yo.^r Certificate of Resurvey thereof with the name of the place in what County it Lyeth & of what manno.^r to be holden into my office with all Convenient Speed and for So doing this Shall be your warrant Given under my hand & the Lesser and Lesser Seale of this Province the Eighth day of may in the fourth year of the Dominion of the Right Hon.^{b^{le}} Charles Lord Baltimore & over Maryland Annoq Dom one thousand Six hundred Seventy nine. (fol. 240)

To Vincent Lowe Esq Surveyor.^r

Gen. ll or his Deputy

March 22.th 1679

Mandamus then issued to Clement Hill & Richard Gardner of S.^t mary's Co^{ty} Gent that by the oaths of twelve &^c they Enquire what Lands Coll.^o William Evans dyed Seized of &^c ret without delay

K: C. Thomas Trueman ag.^t Thomas Hoggleton Writt of Erro.^r & Scire facias dat 24.th may ret 3.^d June 1679

S.^r You are desired to drawn & deliver to the bearer m.^r Stephen Gary a Commission for Sheriff of Dorchester County for the En- p. 200
sueing year for which this Shall be yo.^r warrant from (fol. 240)

Yo^r affectionate Nephew
C: Baltimore

Liber C D To the Hon.^{ble} Phillip Calvert Esq
Chancello.^r of this province of maryland

May 17.th 1679

Commission for Sheriff of Dorchester Co.^{ty} then iss.^d to m.^r
Stephen Gary with Writt of assistance & discharge to Thomas
Taylor late high Sheriff of the Same County

Ap.^{ll} 24.th 1679

Commission for Sheriff of S.^t marys County then issued to maj.^r
William Boarman with writt of assistance and discharge to Gerrard
Slye late high Sheriff of the Same County

Eod die The Said W.^m Boarman took the Oath of high Sheriff as
af.^d & Leonard Green tooke the Oath of Sub Sheriff according to
the usuall form

May 3.^d 1679

Commission for Sheriff of Baltemore County then iss.^d to John
Stansby with Writt of assistance and discharge to Thomas Long late
high Sheriff of the Same County

March 10.th 1678

Commission for Sheriff of Ann Arundell County then iss.^d to
Robert ffracklin with writt of assistance & discharge to John Welsh
late high Sheriff of the Same County

Aprill 1679

Comission for Sheriff of Talbot County then issued to Thomas
Vaughan with Writt of assistance & discharge to Coll Vincent Lowe
late high Sheriff of the Same County

RR Subp.^a Rich.^d Royston to Answer a Bill in Chan.^{ry} ats
Symon Icons dat 2.^d June ret 3.^d 1679

RR Subp.^a Nicholas Painter, John Baker George Thomp-
son Eliz.^a Baker Daniell Clocker, Richard Sheppard Garrett Lincoln
ad Testificand inter John Quigley & Garrett Vansweringen John
Quigley dat 2.^d June ret without delay

June 3.^d 1679

Then was Stephen Gary Sworn Sheriff of Dorchester County
according to the usuall Oath in Hoc Lib.^o fol. 8

S.^r Let Mandamus issue forth of your office to the Sheriff of
S.^t marys Co.^{ty} Requireing him by the Oaths of twelve Lawfull
men of his Bailywick to make Enquiry into the Land of Coll W.^m

Evans of the Said County deceased whether or no there be any heirs to the S^d Evans Liveing And that he make Return thereof under the hands and Seals of the S.^d Twelve men into your office with all Convenient Expedition, Dated at Manahowick neck the fifteenth day of May Anno Domini 1679
 To the Hon.^{ble} W.^m Calvert Esq^r Princip.^{ll} } C: Baltmore
 Sec.^{ry} of Province of Maryland or his Chief Ck }
 These

p p^r Subp.^a W.^m Burges of Ann Arundell Co.^{ty} Esq^r to
 Answ.^r a Bill in Chan.^{ry} ats Thomas Bland & Damoras his wife dat
 19.th June ret 7.th Oct.^r

RC Edward Leach Ne Exeat Provinciam ad vic Com Tab
 ag.^t Robert Murphy drawn as Eaton & Quigley dat 7.th June

Charles &^c To the Sheriff of Talb.^t County Greeting Whereas
 Richard Royston of our Said County hath lately brought three
 Severall actions at Law ag.^t Symon Irons of the Same County upon
 three Severall penall Bonds amounting in the whole to the Summe of
 one hundred and forty thousand pounds of Tobacco as also a Lease
 of Ejectm.^t for the Tryall of a Title to Certain Lands in question
 the Said Symon Irons hath the Last Court to witt upon the
 Day of June Instant hath Exhibited his Bill of Comp.^{te} in our Court
 of Chan.^{ry} to be Relieved ag.^t the S.^d Severall actions at Law &
 hath obtained our writt of Injunction ag.^t the S.^d Royston for the
 Staying of his proceedings at Law till the S.^d Royston Answer y.^e
 Said Bill or the Court take other Order to the Contrary. And having
 now obtained the Same the S.^d Symon Irons hath Given out that he
 Intends to Remove himself his family Stock and personall Estate
 into S.^t Johns und^r y^e Dominion of his Royall highness the Duke
 of Yorke out of the Jurisdiction of this Province And So there will
 be nothing left to Satisfie the Said Royston what upon the Tryall
 at Law or hearing in Equity Shall appear due to the Said Royston
 y.^e Speciall Bail by him the s^d Royston at Co^mon Law being men
 of Small & inconsiderable Estates as We are Given to Understand we
 willing that what is Just & agreeable to Equity be Equally distrib-
 uted to both parties do hereby Co^mand you that you take the
 Said Symon Icons if he Shall be found in yo^r Bailywick & him Safe
 keep till he Shall Give Good & Sufficient Security in the penalty af.^d
 to the S.^d Rich^d Royston to stand to abide & perform the order
 Judgment and decree of our Court of Chan.^{ry} upon the hearing of
 the Cause in Equity af.^d & Satisfie and pay unto the Said Richard
 Royston all such Summe or Summes of Tob^o as Shall be then to the
 Said Royston [adjudged] for his debt afores.^d & Costs of Suit
 And that you Certifie us of your proceedings herein before our

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Liber C D Justices of our Court of Chancery the Seventh day of Octob.^r next wheresoever it Shall then be & have you there this Writt Wittness our Self at our City of S.^t marys y.^e Sixteenth day of June in the fourth year of our Dominion &^a Annoꝝ Dom 1679

RC Marke Cordea ag.^t John Quigley Writt of Injunction drawn as Rousby and Peirce

R.C Subp.^a W.^m Burges & John Rockhould at Testificand inter Edward Dorsey & ux ats Thomas Bland & ux in p^t def. dat 16.th June ret without delay.

(fol. 242) RC. Subp.^a Mary Cheseldyne Thomas Lomax Vincent Mansfield Gerrard Slye & James Greene ad Testificand inter Humphrey Jones and John Coode dat 16th June ret without delay

RC Garrett Vansweringen ag.^t Josias ffendall Writt of Erro.^r & Scire facias dat 16.th June ret 7.th Oct.^r 1679 drawn as Walker & Lomax

RC Garrett Vansweringen ag.^t W.^m Perfitt Writt of Erro.^r & Scire facias dat & ret ut Supra drawn ut Supra

To the Right Hon.^{ble} Charles absolute Lord & Prop.^{ty} of the Province of Maryland & Avalon Lord Baron of Baltimore

The humble Petition of John Sallers & his wife
Most humbly Sheweth

That Whereas Jeremiah Shulivant of Ann Arundell County the late husband of the Said Ann Was Seized in an Actuell possession of Sev.^{ll} parcells Land & made his Last will & Testament in writing bearing date the four & Twentieth day of ffebruary in the year of our Lord God one thousand Six hundred Seventy five and Shortly after dyed in w.^{ch} Said Last will & Testam.^t he bequeathed Severall Legacys to Severall psons, & all the Rest of his Estate to his then wife the s.^d Ann both Lands & Chattells as by his S.^d Last will & Testam.^t Relation being thereunto had it doth & may more at Large appear Now So it is may it please yo.^r Loꝛꝛ yo.^r pet.^r being Informed that they are but Termes for life to the Said Land, and after their Death the Said Land will Escheat to yo.^r Loꝛꝛ for want of words Significant in the S.^d Last Will & Testam.^t to Intitle the Same to yo.^r pet.^r Ann & her heirs & assigns for Ever, w.^{ch} they humbly Conceive was the fault of the writer of the S.^d Last will & Testam.^t And that John Lames one of the Legatees mentioned in the S.^d Last will & Testam.^t hath been Gone out of the s.^d Province Severall years & not to be heard of So that yo.^r petition^r hath duely paid the Rent of the Land Called King Sale & all other Land late

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of the S.^d Jeremiah Shulivant, to yo.^r Loꝝps Receivers for yo.^r Liber C D Lordshipp's use &^c

Therefore yo.^r Petition.^{rs} do humbly Request that yo.^r Lopp would be favourably pleased to Grant them a Patent of Confirmacon of the S.^d Severall parcells of Land in their own names or by any other ways or means as yo.^r Ldp Shall think best So that they have the Same Confirmed & Settled upon them their heirs & assigns for Ever

And as in duty Bound they Shall pray &^c

Underneath the above petition was written viz.^t

Let Mandamus issue of the Secretarys office to Enquire concerning a parcell of Land Lying in Ann Arundell County in Herring Creek w.^{ch} formerly belonged Jeremiah Shulivant decd Given this Seventh day of June 1679.

C: Baltemore

To the Chief Clerke of the office

Charles &^c To James Ringold Gent Greeting Whereas John (fol. 243) Baker of S.^t marys City hath Exhibited a Certain Bill before us in our Court of Chan.^{ry} against Samuell Tovey Adm.^r of the Goods & Chattells of Vincent Acheson & Robert Acheson Son & heir of the s.^d Vincent and Hannah Acheson decd an Infant under the age of one & Twenty Years by the S.^d Samuell Tovey his Guardian And Whereas we have lately by our writt of Subpœna Commanded them the s.^d Samuell & Rob.^t that they Should be before us in our S.^d Court of Chan.^{ry} without delay to Answer the S.^d Bill & the S.^d Samuell being So weake & the s.^d Rob.^t a Tender Infant that they Cannot Travell to our Court af.^d to Answer y.^e Said Bill will without Great danger of their health as we are Informed. We Comiserateing the Condiçon of the s.^d Samuell & Robert & Reposeing Great Trust & Confidence in yo.^r fidelity do Give you full power & Authority diligently to Examine the s.^d Samuell Tovey & Robert Acheson upon the matter of the s.^d Bill, And therefore we Comand you that at Such Certain day & place as to you Shall Seem meet you go to y.^e S.^d Samuell & Robert if they Cannot come Conveniently to you (having first Examined the s.^d Rob.^t if he do Elect & Chuse the s.^d Samuell Tovey to be his Guardian to Answ^r for him & the s.^d Samuell So Chosen you admitt as Guardian to the s.^d Robert) and them the s.^d Samuell & Robert upon the matter of the Bill af.^d upon the Oath of the S.^d Samuell before you to be taken upon the holy Evangelists you diligently Examine & the Answers of the s.^d Sam.ⁿ & Robert by the S.^d Samuell his Guardian you receive & Reduce the Same into writeing and when you have So taken the Same you Send the Same to us in our Co^{rt} of Chan.^{ry} w.thout delay wheresoever it Shall then be Sealed up under your Seale & this writt Wittness our Self at our City of S.^t Marys the third day of July in the fourth year of our Dominion over our Said Province of Maryland Annoq Domini 1679

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Lib^r C D RR Subp^{as} Robert Atchison Son & heir of Vincent Atchinson & Hannah his wife deēd & Samuell Tovey Adm.^r of all & Singular y.^e Goods Chattells Rights & Credits of the s.^d Vincent Atchinson deēd ats John Baker dat 28.th June returnable Imediately

Maryland ss. Jn.^o Halfhead Inquisition

(fol. 244) An Inquisition Indented taken this present munday being the Twelfth day of August in the year of our Lord one thousand Six hundred Seventy & Eight at the house of Henry Elliott in S.^t Marys County before us Robert Carville & Walter Hall Gent by Virtue of a Commission iss.^d out of his Lopps high Court of Chancery in the nature of a Mandamus to us directed Whereby we are Commanded by the Oaths of Twelve Good & Lawfull men of the County afores.^d by whom the truth of the matter may be the better known & Enquired of that we diligently Enquire what Lands John Halfhead late of S.^t Marys County af.^d deceased dyed Seized of at the time of his Death as of ffee in the County of S.^t Marys & of what manno.^r & under what Rents and Services and how much those Lands & Tenem.^{ts} are of value in the year in all issues & at what time the s.^d John Halfhead dyed & who is his next heir & what age the heir is and who those Lands & Tenem.^{ts} from the time of the Death of the s.^d John Halfhead hath or doth Occupy & the issues & profits hath or doth receive & by what Title & how & in what manner & who hath paid the Rent for the same & to whom by the Oaths of Elias Beach, Thomas Griffen, Jn.^o Roberts Richard Chillman, Edward Horne Thomas Potter, Robert Large Morgan Jones, John Askin Daniell Clocker, Owen Gwyther & Abraham Read who being duely Sworn upon the holy Evangelists do upon their Oaths Say as followeth That it appeareth to the Juro.^{rs} af.^d by a Patent under the Great Seal of this Province bearing date the twelfth day of Septemb.^r in the year of our Lord 1653 to them produced that W.^m Howley Esq^r haveing Right to Six thousand acres of Land & upwards in the S.^d province by an Order of the Provinciall Court of the four & Twentieth of march 1652) [1652/3] In Consideration thereof his L^{dp} did by the S.^d Patent Grant unto the S.^d William Howley all that tract of Land on the west Side Chesepeake bay near unto a Creek Called S^t Jerom's Creek Beginning on the west Side the Said Creek at a marked Chesnut Tree Standing near a marsh & Swamp Called S.^t Davids Swamp & Running west from the s.^d Chesnutt for the Length of Eighty pches unto a marked oake in a Valley bounding on the west with a line drawn South from the s.^d Oake for the Length of Eight hundred fifty and five perches unto a fresh Runn & with a line drawn North & by west unto the Land of Stanhope Roberts Called Drappers Neck on the north with the Said Land on the East with the s.^d bay from Drappers neck unto the mouth of S.^t

Jeromes Creek on the South with a line drawn west Southwest from the mouth of the s^d Creek unto the first marked Chesnut Tree & the first west line Containing & then Laid out for five thousand Seven hundred acres more or Less To be holden of the manno.^r of West S.^t marys in free and Common Soccage under the yearly Rent of five pounds fourteen Shillings Sterling as by the Said Patent may more at Large appear By Virtue whereof as they believe the s.^d William Howley being Seized & possessed of the premisses the S^d W.^m Howley by his Last Will & Testam.^t in writing as the Said Juro.^{rs} are Informed Devised the s^d Lands & premisses to W.^m Gwyther who by Virtue thereof & of a Certain Decree made in the high Court of Chancery of this Province became Seized of the premisses & being So Seized & possessed of the p^rmisses did by his Indenture bearing date the Seventh day of Ap.^l Anno^o Domini 1677 in Consideration of the Sum^e of thirteen thousand pounds of Tobacco in & by the Said Indenture men^tioned to be to him the S.^d William Gwyther paid by John Halfhead planter deceased the Receipt whereof the Said William Gwyther did thereby acknowledge and thereof did by those presents absolutely acquitt and discharge the S.^d John Halfhead his heirs Executo.^{rs} adm.^{rs} and assigns and for the Rents & Services thereafter Received did bargain Sell alien Enfeoff & Confirm unto the Said John Halfhead all that Tract parcell or Divident of Land Called Brushie neck Beginning at Popes hog pen Runn & Running up the main branch Joyning upon the Land now in the possession of Nicholas Gwyther So far as the s.^d branch Runs into the woods & from Popes hog pen up the bay to the Land of Stanhope Roberts Called Drappers Neck & from the head of Popers hog pen Runn Running with a line drawn north on the north of Brushie neck to Stanhope Roberts Land as the Certificate of Survey of the s.^d five thousand Seven hundred acres of Land mentioneth be it more or Less with all & Every the appurtenances to the Same belonging he the Said John Halfhead his heirs or Assigns Paying therefore yearly & Every year unto the S.^d William Gwyther his heirs Ex.^{rs} Adm.^{rs} or Assigns at the Said William Gwyther dwelling plantation the Rent of five Bushells of Sound Indian Shelled Corn at the feast of S.^t Thomas the Apostle with a Clause of Reentry for the nonpaym.^t of the s.^d Rent at the s.^d feast or within forty days after to hold the s.^d Land & premisses Called Brushie neck w.th the appurtenances to the s.^d John Halfhead his heirs & assigns for Ever w.th warranty against him the Said William Gwyther or any Claiming by from or under him the Rents & Services due to his Lordship the Lord Prop.^{ty} to be paid by the s.^d William Gwyther his heirs & assigns for Ever as by the S.^d Indenture under the hands and Seales of the s.^d William Gwyther & John Halfhead & to the Juro.^{rs} afores^d produced may more at Large appear And the Juro.^{rs} af.^d do upon their Oaths further Say That

Liber C D

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Liber C D they believe the S.^d Lands & premisses So by the Said William Gwyther Granted to the Said John Halfhead are part of the Said Tract of five thousand Seven hundred acres of Land, And that the S.^d John Halfhead by virtue of the Said Indenture became Seized & possessed of the premisses to him Granted as afores.^d under the s.^d yearly Rent of five Bushells of Corn as af.^d and that he being So Seized did about the Sixth day of January last past dye So Seized without makeing any will that they know of having been accidentally killed by the fall of a Tree and that he hath left no heir that the Jurors aforesaid know of, And that the s.^d Tract of Land Contains onely three hundred acres of Land and was all the Land they Can find the Said John Halfhead dyed Seized of, and that after his death the possession of the Said Lands was held by Jane the widow & Relict of the Said John Halfhead dureing her Widowhood & Since by Henry Elliott & Jane his wife Since their Inter-marriage & that they are Still in the possession thereof And that the S.^d Henry Elliott Since his Inter-marriage with the s.^d Jane hath paid part of the Tobacco due for the purchase of the S.^d Land and Secured to the s.^d William Gwyther to be paid by the Said John Halfhead and w.^{ch} the S.^d Henry & Jane as Adm^{rs} of the Said John Halfhead are as the Juro.^{rs} Conceive Lyable to pay & Satisfie, And they further Say upon their Oaths that they believe the Said John Halfhead paid & Secured to be paid for the purchase of the Said Land being 13000^l Tob.^o more than the said Land was Really worth and that the Said John Halfhead in his Lifetime and the Said Henry Since his Death have Laid out in Building and Clearing upon the Same and fenceing about the Same very Considerable Summes of Tobacco to Improve the Same & make it fit & Convenient for a planter to dwell upon the Same & thereout to get a Livelyhood, and that the Said Land and all the houses upon the Same as the Same is now Built upon, fenced, Cleared & Improved if the Same were to be lett is not worth above the Summe of four hundred pounds of Tobacco by the year and the Juro.^{rs} afores.^d Say they are Informed that his Lordship Rent for the Said Land hath been paid by the S.^d W.^m Gwyther, And they do find that the Said Rent Corn hath been paid In Testimony whereof the Said Commission^{rs} as also the Juro.^{rs} aforesd have hereunto Set their hands and Scales the day and year aforesaid

Robert Carville sealed
Walter Hall sealed

Elias Beech	sealed	Robert Large	sealed
Tho: Griffen	sealed	Morgan Jones	sealed
Jn. ^o Roberts	sealed	Jn. ^o Askin	sealed
Rich. ^d Chillman	sealed	Dan ^{ll} Clocker	sealed
Edw. ^d Horne	sealed	W. ^m Gwyther	sealed
Tho. ^s Dorsey	sealed	Abra: Read	sealed

Which being Read & heard it is the oppinion of the Court here this day to wit the 10.th day of march in the fourth year of the Dominion of Charles Lord Baltemore &^a Annoq Dom 1678 that the aforemencon'd Land & p'misses are Escheated unto his Lordship for want of heirs, To be holden of his Lopp & his heirs and others the Chief Lords of the ffee of the p'misses under the Rents heretofore due and accustomed

Liber C D

Nich: Painter Clk Cur Prov.¹¹

Maryland ss. Warren John Inquisition

(fol. 247)

An Inquisition taken upon the nineteenth day of July in the year of the Dominion of Charles absolute Lord & Proprietary of The Provinces of Maryland & Avalon Lord Baron of Baltemore &^e Annoq Domini 1678 At the house of John Warren Scituate near Brittons bay in the County of S.^t Marys in y.^e Province of Maryland by virtue of a Commission in the nature of a Mandamus issued out of his Lordship's high Court of Chan.^{ry} to us Clement Hall & Richard Gardner Gent directed, by the Oaths of Twelve Good & Lawfull men of the Said County of S.^t Maryes by whom the truth of the matter may the better be known & Enquired of to diligently Enquire who is the Right owner of a parcell of Land Containing four hundred & fifty acres Lying in Brittons Bay in S.^t Marys County aforesaid now in the possession of John Warren & by what Title how & in what manner the s^d John Warren hath & doth hold & Enjoy the Same what these Lands & Tenements are of value by the year in all issues who hath paid the Rent for the Same & to whom & who is heir to the Same We do therefore by the Oaths of Abraham Combe, John Hearde William Cole, John Bayly Sen.^r William Langworth Robert Cole John Nevitt, Thomas Hockley, John flossey Michael Ryley Ignatius Warren and John Bayley Jun.^r who being all duely Sworn Say as followeth That the Right Hon.^{ble} the Lord Prop^{ry} of the S.^d Province did by his Patent under the Great Seale of the S.^d province bearing date the fifth day of June in the Year of our Lord 1649 Give Grant and Enfeoff unto John Shercliff his heirs & Assigns all that parcell of Land Scituate Lying and being in the New town, Bounded on the East with the Land formerly Granted Richard Hills and a Creek Called Pisamon Creek on the South with Potomock River on the west with a Creek Called Broad Creek & on the north with the Land formerly Granted unto John Nunne now in the possession of the s.^d John Shercliff Containing & Laid out for one hundred acres more or Less & all woods Quarry mines Royall mines Excepted, Waters ffishing ffishing places and all other profits and Commodities in & upon the Same Land belonging To have and to hold the Same Land & premisses unto him the said John Shercliff his heirs and assigns for Ever To be holden of the manno.^r of New Town in free and Common Soccage by ffalty only for all Services

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Liber C D
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Yeilding and paying therefore yearly to his S.^d L^{dp} Two Shillings Sterling in money or one bushell of Good Corne at the Nativity of our Lord By Virtue of w.^{ch} Grant or Patent the S.^d Jurro.^{rs} do upon their Oath Say That the S.^d John Shercliff became Seized & possessed of the premisses & being So Seized and possessed thereof the S.^d John Shercliff did by writeing under his hand & Seal bearing date the Twelfth day of ffebruary 1650 being men^{co}ned & Endorsed on the Back Side of the Said Patent assign all his Right Title and Interest of in and to the premisses to Edward Cotten his heirs and assigns for Ever as by the Said Patent and assignm.^t thereof to us produced may more at Large appear And the Jurors aforesaid do upon their Oaths further Say that the Right Hon.^{ble} the Lord Proprietary of the S.^d province did by his Patent bearing date the Second day of November in the year of our Lord 1650 Give Grant and Enfeoff unto William Newgent Gent all that parcell of Land Lying near the Newtown Called Huggins Neck Beginning at the head of [L]ees Creek bounding on the West with the Said Creek and Brittons Bay on the South with Potomack River on the East with a Creek Called Broad Creek on the north with the Land formerly Granted to William Assiter Containing and now laid out for one hundred acres more or Less Together with all Rights & profits and benefits thereunto belonging, Royall mines Excepted, To have and to hold the Same Land and premisses unto the Said William Newgent Gent his heirs and assigns for Ever To be holden of the manno.^r of West S.^t marys in free and Common Soccage by fealty only for all Services Yeilding & paying therefore yearly to his Said Lordship two Shillings Sterling in Silver or the value thereof in Such Commodities as his Said Lordship his heirs officer or officers appointed by them Shall accept in discharge thereof at their Choice by Even and Equall portions at the feast of the Annunciation of the Blessed Virgin Mary and the feast of S.^t Michael the Archangell By virtue of which Grant or Patent the Said Jurors do upon their Oaths Say that the Said William Newgent became Seized and possessed of the p^rmisses & being So Seized and possessed thereof the S.^d William Newgent did by writeing under his hand bearing date the Twelfth day of December 1651 being men^{co}ned and Endorsed on the back Side of the Said Patent assign all his Right Title and Interest of in and to the premisses to Edward Cotten his heirs and assigns for Ever as by the Said Patent may more at Large appear, And the s^d Jurors do upon their Oaths further Say that the Right Hon.^{ble} the Lord Prop.^{ry} of the S.^d province did by his Patent bearing date the Twenty fourth day of January 1642 Give Grant and Enfeoff unto Henry Lee all that parcell of Land Lying on the South Side of Brittons Bay and bounding on the west with a line drawn South from a point of the S.^d Bay Called Blunt point into a Creek Called Lees Creek on the South with a line drawn East from

the head of the Said Creek till it Intersect a line drawn from the head of Blunt Creek on the East w.th the Said Blunt Creek Containing and now laid out for one hundred acres or thereabouts be it more or Less, Together with all Rights and benefits thereunto belonging (Royall mines Excepted) To have and to hold the Same Lands and premisses unto him the Said Henry Lee his heirs and assigns for Ever, To be holden of the manno.^r of New town in free and Common Soccage by fealty only for all Services Yeilding and paying therefore yearly to his Said Lordship Two Shillings in money Sterling or the Comoditys of the Country at the feast of our Lords Nativity by Virtue of w.^{ch} Grant or Patent the Said Jurors do upon their Oaths Say that the S.^d Henry Lee became Seized & possessed of y.^e p^rmisses and being So Seized and possessed thereof the Said Henry Lee did make assignm.^t thereof as the Said Jurors believe but to whom they know not the assignm.^t on the back of the Patent being So much defaced, And the Said Jurors do further believe that the S.^d Patent after Some assignm.^t was at Last assigned unto the Said Edw.^d Cotten And the Said Jurors do upon their Oaths further Say that John Nunn of S.^t Marys County in the Province aforesaid planter in Consideraçon of four hundred pounds of Tobacco & Cask by him received from John Shercliff and Henry Spink did Bargain Sell and Deliver unto the Said John Shercliff and Henry Spink all that parcell of Land Lying on New Town on the South Side of Brittons Bay Beginning from the Valley where the house of the Said John Shercliff & Henry Spink now Stands tending westward along the Said Bay to the furthest Bound of the Said John Nunn's Land as may appear by the Patent or Grant of the Said Land under the Seale of the Said Province unto him the Said John Nunn bearing date at S.^t Inege's ffort the Second day of October in the year of our Lord 1647 By Estimation one hundred and fifty acres be it more or Less To have and to hold the Same unto them the Said John Shercliff & Henry Spring their heirs and assigns for Ever paying unto the Said John Nunn therefore yearly one Bushell and a half of Corne at the Nativity of our Lord By Virtue of which Grant the Said Jurors do upon their Oaths Say that the Said John Shercliff and Henry Spink became Seized and possessed of the p^rmisses and being So Seized and possessed thereof the Said John Shercliff and Henry Spink did by their writeing under their hands bearing date the Twelfth day of ffebruary in the year of our Lord 1650 Being mençoned & Endorsed at the foot of the Said Grant assign all their Right Title Interest of in & to the premisses unto the Sd Edw.^d Cotten his heirs and assigns for Ever Excepting about an acre of Ground which they formerly Granted unto m.^r Lawrence Starkey & as it is now marked out, And the S.^d Jurors do upon their Oaths further Say that the Said Sevrall parcells of Land

Liber CD

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Liber C D herein mentioned amounting unto the Summe of four hundred & fifty acres of Land the Said John Warren had Given & bequeathed him Together with one man Servant named William Ramsey for Seven Years (Paying yearly a thousand pounds of Tobacco for Eight years by the af.^d Edward Cotten as by the Last Will and Testament under the Said Edward Cotten's hand bearing date the Eighteenth day of Aprill 1653 may more at Large appear By virtue of w.^{ch} the Said John Warren became Intitled to the Same and became Seized and possessed thereof and hath held & Enjoyed the Same untill this time, And the Said Jurors do further upon their Oaths Say that the Land & Tenements herein mencōned are of value by the year in all issues worth the Summe of one thousand pounds of Tobacco And the Jurors do upon their Oaths further Say that the S.^d John Warren (as by Receipts may more at large appear) paid his L^{dp}'s Rent for the p^rmisses to Such offic.^{rs} as his Lopp hath from time to time appointed to Collect the Same for & dureing the time the S.^d John Warren Enjoyed the premisses But who paid the S.^d Rent or to whom it was paid before the Said John Warren the S.^d p^rmisses Enjoyed the Juro.^{rs} know not, And the Jurors do further upon their Oaths Say that they know not who is the heir to the af.^d four hundred and fifty acres of Land and that the Patents & Grants of all the aforemenconed parcell of Land amounting unto the Summe of four hundred and fifty acres are now in the possession of the Said John Warren assigned him by the Executor of the Last will and Testam.^t of the Said Edward Cotton In Testimony whereof as well the Said Com.^{rs} as the Jurors aforesaid have hereunto put their hands and Seals the day and year first above written

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Clement Hill sealed

Richard Gardner sealed

Abraham Combesealed	John Nevittsealed
John Heardsealed	Tho: Kinsleysealed
William Colesealed	Jn. ^o ffosseysealed
John Bailysealed	Mich. Rylysealed
W. ^m Langworthsealed	Ignatius Warrensealed
Robert Colesealed	John Baylysealed

Which being Read and heard It is Ordered by the Court here this day to witt the ninth day of October in the third year of the Dominion of Charles Lord Baltemore &c Annoq̄ Domini 1678 that a melius Inquirendum issue better to Enquire concerning the Land in the aforegoing Inquisition menconed

Nic Painter Cl Cur Prov.^{allo}

Somerset County ss. Macum Thomas Inquisition

By virtue of a mandamus out of his L^{dp}'s Court of Chancery bearing date the 18.th day of July in the third year of his Lordship's

Dominion over Maryland &c Annoꝝ Domini 1678 directed to William Stevens & Francis Jenkins of Sommersett County Gent Commanding them by the Oaths of twelve men to Enquire what Land Macum Thomas late of Sommersett County deēd dyed Seized of at the time of his Death as of free in the County of Sommersett and of what manno.^r and under what Rents & Services & how much those Lands and Tenem.^{ts} are of value by the year in all issues and at what time the Said Macum Thomas dyed and who is his next heir and what age the heir is and who those Lands and Tenem.^{ts} from the time of the Death of the Said Macum Thomas hath or doth occupy and the issues and profits hath or doth Receive & by what Title & how & in what manner & who hath paid the Rent of the Same & to whom &c We m.^r Thomas Newbold, Cap.^t Daniell Curtis m.^r Edmund Beauchamp, Walter Powell, John Anderton, George Haffwit Edward Stevens, Robert Blades, Robert Catlin Sen.^r W.^m Scott W.^m Bradshaw, Michael Williams (this nine & Twentieth day of July Annoꝝ Domini 1678 In pursuance of the Same being Summone & Sworn for a Jury to make Inquisition do find

Liber C D

(fol. 252)

Imprimis That Macum Thomas late of Sommersett County in the Province of Maryland planter deēd dyed Seized at the time of his Death of three hundred acres of Land & no more Called King's Neck held of the manno.^r of Nanticoake in free & Common Socceage onely for all manner of Services under the Rent of Six Shillings Sterling p annum the Said Land being Granted by Patent to Jenkin Price as by Patent bearing date the Twentieth day of february Annoꝝ Domini 1665 and Since the Said Grant alienated by Jenkin Price & Matthew his wife viz.^t on the 26.th day of march Annoꝝ Dom 1667 unto Macum Thomas.

2.^{dy} That Macum Thomas and his wife were murdered by their man Servant Henry Parratt in their Bedds at their dwelling house in Pocomoke upon his Plantacon Called King's Neck on or about the Eighth day of february Annoꝝ Domini 1675

3.^{dy} That Hugh Marinx the Son of Hugh Marinx late of Nansemm in Virgin.^a dec.^d was born of Katherine his wife at Nansemm in Virg.^a the 15.th day of march Annoꝝ Domini 1665 to be the Right heir to Macum Thomas late of Sommersett County in the Province of Maryland deēd

4.^{thly} That m.^r William Stevens of Pocomoke in Sommerset Co.^{ty} in the Province of Maryland Gent did after the decease of Macum Thomas put upon the S.^d Land Called Kings Neck to keep it from Ruin Sebastian Dellatias without paying any Rent or Consideration for the use of the Same the Rent due to the Lord of the free m.^r Stevens hath duely paid and by virtue of Lett.^{rs} of Administracon Granted to the Said William Stevens the Said William Stevens did

p. 210
(fol. 252)

Liber C D put the Said Seabastian upon the Said Land w.^{ch} Said three hundred
 acres of Land is worth three hundred pounds of Tobacco by the year
 W.^m Stevens sealed
 Fran: Jenkins sealed

(fol. 253)	Thomas Newboldsealed	Edw ^d Stevenssealed
	Dan. ^{ll} Curtissealed	Rob ^t Bladessealed
	Edmund Beauchampsealed	Rob. ^t Catlinsealed
	Walter Powellsealed	W. ^m Soothsealed
	Jn. ^o Andersonsealed	W. ^m Bradshawsealed
	Geo: Hurfurtsealed	Mich. ^{ll} Williamssealed

Which being Read and heard it is the opinion of the Court here
 this day to wit the tenth day of October in the third year of the
 Dominion of Charles Lord Baltimore &c. Annoq Domini 1678 that
 Hugh Marnix is heir to the Lands in the aforegoing Inquisition
 mencon'd

Nich: Painter Cl Com Prov.^{alls}

An Inquisition Indented taken at the house of John Athey upon
 the Clifts in Calvert County in the Province of maryland planter
 the Twentieth day of September in the third year of the Dominion
 of the Right Hon.^{ble} Charles absolute Lord & Prop.^{ry} of the Province
 of Maryland and Avalon Lord Baron of Baltimore &c and in the
 year of our Lord God one thousand Six hundred Seventy & Eight
 before us George Parker of Hunting Creek in Calvert County Gent &
 Richard Ladd of the Clifts in the Same County Gent By Virtue of a
 Writt of Mandamus issued out of his Lordships high Court of
 Chancery to this Inquisition Annexed to us directed by the Oaths of
 Francis ffreeman of the Clifts in Calvert County af.^d William
 Taylor of the Same Samuell Holdsworth of the Same Nathan Daw
 of the Same Daniell Blayd of the Same Jeffrey Meanley of the
 Same John Gyett near s.^t Leonard's Creek, Henry Todd of the
 Clifts afores.^d James Macall of the Same William Harris of the
 Same Edward Husband of the Same and William Barton of the
 Same The Jury who upon their Oaths Say as followeth viz.^t That
 the Said John Tucker was at the time of his Death Seized in Actual
 possession of one hundred & fifty acres of Land more or Less Lying
 on the Clifts in Calvert County Called or known by the name of
 Tuckers unfortunate but by what Right or Title they know not nor
 of what manno.^r of his Lordship's the s.^d Land holdeth of they
 Cannot find nor under what Rents and Services Reserved to his
 Lop^p for the Said Land they know not having no Patents nor any
 other writings whereby they may be directed therein The Said
 Jurors further Say that the Said John Tucker made his Last Will &
 (fol. 254) Testament in writeing But whether he did thereby bequeathed the s.^d
 one hundred & fifty acres of Land to any person or persons they

know not the Said Jurors further Say that the Said John Tucker dyed in the month of march which was in the year of our Lord God one thousand Six hundred and Seventy and that one John Burges and Amy his wife the Relict of the Said John Tucker the first three years after the Death of the Said John Tucker did use Occupy and possess the S.^d Land and premisses & Receive the issues & profits thereof for and dureing the Said three years, And also that the S.^d John Burges & Amy his wife did receive of one William Harris their Tennant one whole years Rent for the Said Land & premisses the Summe of Eight hundred pounds of Tobacco being the fourth year after the Death of the Said John Tucker, And the Said Juro.^{rs} further Say that one John Athey of the Clifts in the County of Calvert planter about four years last past did buy the Said one hundred and fifty acres of Land & premisses Called Tucker's unfortunate of the Said John Burges & Amy his wife the Relict of the S.^d John Tucker for a valuable Consideration to them or one of them in hand by the Said John Athey well and truely paid & Satisfied The Said Jurors further Say that the Said John Burges in his life time did Enter into & become Bound unto the Said John Athey in & by one Obligation under the hand and Seale of the Said John Burges of the penall Summe of Twenty and two thousand pounds of Tobacco bearing date the fourteenth day of November one thousand Six hundred Seventy and four Conditioned to give unto the Said John Athey a Good assurance of a parcell of Land Lying on the Clifts in Calvert County Called Tucker's unfortunate w.^{ch} Said parcell of Land the Said John Athey bought of the Said John Burges and Amy his wife as by the S.^d Recited Obligacon and Condition thereof relation being thereunto had it doth more at Large appear The S.^d Jurors further Say that the S.^d John Burges & Amy his wife the Relict of the S.^d John Tucker or one of them have or hath Since the Death of the S.^d Jn^o Tucker Received and had all the issues & profits of the Said Land & premisses by the Sale thereof to the Said John Athey, And the Said Jurors further Say that the Said Lands and premisses are now in the possession of the Said John Athey and that the Same land and premisses as the Same now are Improved are worth four hundred pounds of Tobacco p^{er} annum over and above the Rent Reserved to his Lordship And that the Said John Athey hath paid the Summe of Seventy and two pounds of Tob.^o for Rent due to his Lordship for the Said Land and premisses Since the time that he the Said John Athey bought the S.^d Land & premisses of the Said John Burges and Amy his wife unto one Michael Higgen Deputy under Cap.^t Henry Darnall high Sheriff of the S.^d County of Calvert Receiver for his Lordship And the S.^d Jurors further Say that they Cannot find any heir of the Said John Tucker within the Said province of maryland nor Else where, In Testimony whereof as well the Said Commission.^{rs} as

Liber C D

p. 211
(fol. 254)

(fol. 255)

Liber C D the Said Juro.^{rs} have hereunto put their hand and Seals the day and year first above written Annoꝝ Domini 1678

Geo: Parker }
Rich.^d Ladd } Commission.^{rs}

Francis Freemansealed	John Gyettsealed
William Taylorsealed	Henry Toddsealed
Sam. ^{ll} Holdsworthsealed	James Macallsealed
Nathan Dawsealed	William Harrissealed
Daniell Bloydsealed	Edward Husbandsealed
Jeffrey Manleysealed	William Bartonsealed

p. 212
(fol. 255) Which being Read & heard it is Ordered by the Court here this day to witt y.^e 9.th day of Oct.^r y.^e third year of the Dominion of Charles Lord Baltemore &c.^a Annoꝝ Domini 1678 That a melius Inquirendum issue better to Enquire concerning the Lands in the aforegoing Inquisiçon mençoned Nich: Painter Cl Car Prov.^{iis}

Inquisition Potters land

(fol. 256) By virtue of a warrant from the Right Hon.^{ble} Charles Lord Baltemore directed to major William Coursey and m^r Anthony Male to Enquire what Lands John Potter late of Talbot County deēd dyed Seized of at the time of his Death We the Jury whose names are hereunder written do find that the Said John Potter late of Talbot County who Ended his life in the year Anno 1668 was possessed and Seized of one hundred & fifty acres of Land viz.^t as foll fifty acres Called by the name of Cabbin neck & fifty acres Called by the name of Potter's Lott & fifty acres Called by the name of Potter's delight also we do find neither heir nor heiress belonging to the aforesaid Potter & that the rent of the afores^d Lands hath been paid by Nicholas Lurkey & Alex.^{er} Lathmore Guardian of the Said Luckey's Children as appears by the Sheriff's Receipts And further We do find that no profit hath been made of the Said Land being Rough Land & that John Darby under Sheriff to m^r Richard Tilghman did Seize and Carry away the Patents of the Said Land for the Prop.^{ty} use as Wittness our hands and Seals the 12.th day of may Anno 1679

William Coursey sealed
Anthony Male sealed

John Powersealed	John Newmansealed
Edw. ^d Ellettsealed	David ffarbucksealed
Ralph Dawsonsealed	Alex. ^a Jurdansealed
Henry Claye sen. ^rsealed	Thomas Broadustsealed
Henry Claye Jun ^rsealed	William Bellsealed
Edward Ricknersealed	Lawrence Portersealed

Which being Read and heard this day to witt the fourth day of June in the fourth year of the Dominion of Charles Lord Baltemore &c^a Annoq̃ Domini 1679 It is the Judgem.^t of the Court that the aforemençoned Land & premisses are Escheated to his Lordship for want of heir
 Nic: Painter Ct Cur Provincialis

Ann Arundell Co.^{ty} ss. Hen: Caplins Land

By virtue of his Lordships the Lord Prop.^{ty} Mandamus to us William Burges & Nathaniell Heathcote directed bearing date at S.^t Marys the Twenty Seventh day of march Annoq̃ Dom 1679 Commanding us that by the Oaths of twelve Good & Lawfull men of this County of Ann Arundell that the truth of the matter may the better be known and Enquired of that you diligently Enquire what Lands Henry Caplin late of this County of Annarundell deçed dyed Seized of at the time of his Death as of ffee in the S.^d County of Ann Arundell and of what manno.^r and under what Rents & Services and how much those Lands & Tenements are of value by the year in all issues and what time the Said Henry Caplin dyed & who is his next heir and of what age the heir is and who those lands & Tenem.^{ts} from the time of the death of the Said Henry Caplin hath or doth Occupy and the issues or profits hath or doth receive and by what Title & how & in what manner and who hath paid the Rent for the Same and to whom and the Inquisition thereof distinctly and openly make to his Lordship's Chan.^{ty} under our hands & Seals & the hands & Seals of those by whom the Same Shall be made we without delay Send

In Obedience thereunto we William Burges and Nathaniell Heathcote the first day of Aprill Annoq̃ Domini 1679 have by the high Sheriff of the Said County of Ann Arundell Caused to Summoned Twelve Good men of this County of Annarundell who this day have made their appearance before us viz.^t Thomas ffrancis, Nicholas Gassaway Richard Tydeings John Taylor, Thomas Beason, John Gressam Henry Hanslap Henry White Thomas Smithwick, Will.^m Bateman Jacob Harris, Robert Claxton and were Sworne for that purpose w.^{ch} Jury aforesaid have unanimously Conceived agreed upon and declared as hereafter followeth viz.^t

p. 213
 (fol. 257)

That the Said Henry Caplin was Seized of at the time of his decease as of ffee in the manno.^r of Ann Arundell of four hundred acres of Land with a Small Tenem.^t and Some other out Buildings of the Value of four hundred pounds of Tobacco p Annum in free and Common Soccage by ffealty only for all Services Reserveing onely the old Rents p acre to be paid to his L^{dp} w.^{ch} is 2.^s p 100 acres which Said Land is known by the name of Oatleys Choice, That the S^d Henry Caplin dyed in the year 1658 and left issue only one Daughter named Elizabeth who Intermarried with one Thomas

Liber CD Watkins of this County of Ann Arundell and that the Said Elizabeth dyed ab. the year Annoq Dom 1672 without issue or will.

That the Occupation of the Said Caplin's Lands & Tenem.^{ts} were in the hands of Cap^t Thomas Bessom who married Hester the Relict & Adm.^{rx} of the Said Caplin & Received the issues & profits of the Same and also paid the Rents thereof unto Richard Collett his Lordship Receiver untill the time of the Inter-marriage of the s^d Elizabeth onely daughter & Sole heiress of the S.^d Caplin w.th the s^d Tho^s Watkins That the Said Rents hath been duely paid Ever Since untill this p^sent time by the S.^d Thomas Watkins for the Said four hundred acres of Land unto his Lordship's high Sheriffs of this County of Ann Arund.^{ll} unto us by Receipts Given under their hands for his Lordship's use

That they the Said Jurors find no other issue or heir or heiress the s.^d Henry Caplin had at the time of his decease but onely the af.^d Elizabeth de^d that Inter-married with the af.^d Tho.^s Watkins neither the Said Jurors find any issue or heiress of the S.^d Eliz.^a the S.^d Land & Tenem.^{ts} Called Oatley's Choice at this p^sent is & has been in the Occupation of the Said Thomas Watkins Ever Since his Inter-marriage of the Said Elizabeth who doth receive the issues and profits hereof

W.^m Burges sealed

Nathan.^{ll} Heathcote sealed

(fol. 258)	Thomas ffrancissealed	Hen: Hanslapsealed
	Nicho ^s Gassowaysealed	Henry Whitesealed
	Rich. ^d Tydeingssealed	Thomas Smithwicksealed
	Jn. ^o Taylorsealed	W. ^m Batemansealed
	Thomas Bessonsealed	Jacob Harrissealed
	John Grasonsealed	Rob. ^t Clarksonsealed

Which being Read & heard it is the Opinion of the Court here this day to wit the fourth day of June in the 4.th year of y.^e Dom.ⁿ of the R.^t Hon.^{ble} Charles Lord Baltimore &^s Annoq Dom 1679 that the aforementioned Land & premisses are Escheated unto his Lordship for want of heir

Nic: Painter Cl Cur Provincialis

Inquisition Will.^m Pagget's Land

An Inquisition Indented taken at the house of Thomas Knighton near Herring Creek in Ann Arundell County in the Province of Maryland upon the twelfth day of may in the fourth year of the Dominion of the Right Hon.^{ble} Charles absolute Lord & Proprietary of the Province of Maryland & Avalon Lord Baron of Baltimore &c.^a Annoq Domini 1679 by us Nathaniell Heathcote & George Parker Gent By virtue of a Writt of Mandamus issued out of his Lordship's high Court of Chancery to this Inquisition Annexed to us directed By the Oaths of Jn^o Sallers of Herring Creek afores.^d

Liber C D

Thomas fford of the Same Walter Carr of the Same, Robert Con-
 nant of the Same Richard Deaver of the Same Richard Wells of
 the Same Thomas Knighton of the Same Garrett Hopkins of the
 Same Samuel Reniger of the Same John Gale of the Same, William
 Sivick of the Same and Leonard Coate of the Same The Jury who
 upon their Oaths Say as followeth viz.^t That the Said William
 Paggett was at the time of his Death Seized in Actuell possession
 of a plantation or Tract of Land Containing Two hundred & fifty
 acres be the Same more or Less with one Dwelling house and
 Severall Tobacco Houses Lying near Herring Creek in the County
 of Ann Arundell afores^d To be holden of his Lordship and his
 heirs as of his Lordship's manno.^r of Ann Arundell in free and
 Common Soccage by ffealty onely for all Services under the yearly
 Rent of five Shillings Sterling in Silver or Gold or the value thereof
 in Such Commodities as his Lordship or his heirs or Such officer
 or officers appointed by his Lordship or his heirs from time to
 time to Collect and Receive the Same Shall accept in discharge
 thereof at the Choice of his L^{td} & his heirs or Such officer or officers
 as afores.^d The Jurors further Say that the S.^d Plantacon & Tract
 of Land & p^rmisses are now in the possession of Mary Thorley
 widow the late wife of Edward Thorley de^{cd} and that the Same
 Lands & premisses as the now are, are worth four hundred
 pounds of Tobacco p^r annum over and above the Rent above Re-
 served to his Lordship and that the s.^d W.^m Paggett in the year
 of our Lord God one thousand Six hundred & Sixty made his
 Last will & Testam.^t in writeing and Bequeathed the S^d Plantacon
 and Tract of Land to his two Sons William & Thomas Pagett and
 Shortly after dyed w.^{ch} Said two Sons W.^m & Thomas Pagett
 dyed Orphants Intestate, The Jurors further Say that J Pascall
 the Son of James Pascall is the next heir to the Said W.^m & Thomas
 Pagett he being the Son of James Pascall Brother of Amy Pagett
 the late Wife of the Said William Pagett the mother of the Said
 two Sons William & Thomas Paggett deceased who they think is
 half Blood with them and that the Said heir is now in his two &
 Twenty years of age The Jurors further Say that George Pascall
 the Guardian of the Said William Paggett the Younger Since the
 Death of the Said William Paggett the Elder hath Received the
 issues and profits thereof to the value of four hundred pounds of
 Tobacco p^r annum and that Edward Thorley in his life time & mary
 his Relict have held the Said Land and Plantation by virtue of a lease
 Demised them by George Pascall the Guardian of the S.^d Son
 William Pagett, and that the Said George Pascall Edw^d Thorley
 and his wife have paid the yearly Rent due to his Lordship for the
 S.^d Lands and premisses to the Severall Sheriffs of Ann Arundell
 County Receivers for his Lordship Successively yearly and Every
 Year untill this present year, In Testimony whereof the Said Com-

(fol. 259)

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 (fol. 259)

Liber C D mission.^{rs} as also the Said Jurors have hereunto Set their hands and
 Seales the day and year first above written Annoq Domini 1679
 Nathan.^{ll} Heathcote sealed
 George Parker sealed

(fol. 260)	John Sollerssealed	Tho ^s Knightonsealed
	Thomas ffordsealed	Garrett Hopkinssealed
	Walter Carrsealed	Samuell Renigersealed
	Robert Conantsealed	John Gailesealed
	Rich. ^d Deaversealed	W. ^m Sivicksealed
	Richard Wellssealed	Leonard Coatessealed

Which being Read and heard it is the opinion of the Court here
 this day to witt the fifth day of June in the fourth year of the Do-
 minion of the Right Hon.^{ble} Charles Lord Baltimore &^a That
 the aforegoing Land and premisses are Escheated for want of heir
 Nich: Painter Ct Cur Prova.^{lis}

Inquisition Rich.^d Mascall's Land

An Inquisition Indented taken at the house of George Yate in
 Ann Arundell County in the Province of Maryland the Two and
 Twentieth day of Aprill 1679 and in the fourth year of the Dominion
 of the Right Hon.^{ble} Charles absolute Lord and Proprietary of the
 Provinces of Maryland and Avalon Lord Baron of Baltimore
 &c.^a By us Rowland Nance and John Thomas By Virtue of a Writt
 of Mandamus issued out of his Lordship's high Court of Chancery
 to this Inquisition annexed to us directed By the Oath of John
 Larkin, Richard Beard, Richard Cheiny Sen.^r Rich.^d Cheiny Jun.^r
 Robert Wade, John Gray, John Belt, William Jones, William Iiams
 John Jacob, John Tate and Thomas Plummer The Jury who upon
 their Oaths as followeth viz.^t That the Said Richard Mascall at the
 time of his departure out of this Province which was in the year
 of our Lord one thousand Six hundred and Seventy three was in
 actuall possession of a Tract of Land Containing two hundred &
 thirty acres more or Less as appears by Certificate Surveyed by
 George Yate then Deputy Surveyo.^r in the year of the Dominion of
 the Right Hon.^{ble} Cæcilius of most noble memory and in the year
 of our Lord God one thousand Six hundred & Seventy Scituate
 Lying & being in Baltimore County but formerly in Ann Arundell
 (fol. 261) held of the manno.^r of Ann Arundell as by the meets & bounds
 thereof mençoned in the Said Certificate more at Large may appear
 and Called and known by the name of Mascall's Rest to be holden
 as afores.^d the Said Jurors further Say that is Reported that the S.^d
 Mascall dyed in Carolina in the year of our Lord God one thousand
 Six hundred and Seventy five and that nobody hath received the
 issues and profits thereof The Said Jurors further Say that the
 Said Land and premisses are not in any one's possession and that

the Said Lands as they now are, are worth nothing more than the Rent Reserved to his L^{dp} and that the yearly Rent due to his Lordship for the Said Land hath not been paid from the time that the Said Mascall Departure out his Lordship's Province, And the Said Jurors further Say that they Cannot find any heir of the Said Richard Mascall within the Province of Maryland nor Elsewhere In Testimony whereof as well the Said Commission.^{rs} as the Said Jurors have hereunto put their hands & Seals the day & year first above written

Liber C D
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(fol. 262)

Commissioners { Rowland Nance sealed
John Thomas sealed

John Larkinsealed	John Beltsealed
Rich. ^d Beardsealed	W. ^m Jonessealed
Rich. ^d Cheiney Sen. ^rsealed	W. ^m Iamessealed
Rich. ^d Cheiney Jun. ^rsealed	John Tatesealed
Robert Wadesealed	John Jacobssealed
John Graysealed	Tho: Plummersealed

Which being Read and heard it is the Judgem.^t of by the Court here this day to witt the fourth day of June in the fourth year of the Dominion of the Right Hon.^{ble} Charles L.^d Baltimore &c Anno^q Domini 1679 That the aforegoing Land & premisses if Mascall be dead is Escheated for want of heir or if Mascall be alive the Same is Escheated for non payment of the rent in & by the aforesaid Grant Reserved
Nic: Painter Ct Cur Prov.^{alis}

S.^t Maries County ss: [Inquisition Thomas Diniard's Land]

We the Jurors underwritten haveing Enquired of the Tenure and present Occupier of the Lands that Thomas Diniard late of this County dyed Seized of as of ffee in the Said County do find as followeth viz.^t That the Said Thomas Dyniard dyed Seized of five hundred acres of Land held of the manno.^r of West S.^t maries in free and Common Soccage by ffealty only for all Services at the Rent of ten Shillings or five Bushells of Good Corn p annum That these Lands and Tenements are of value Twelve hundred pounds of Tobacco p Annum That the Said Diniard dyed about the fifth of November Anno 1659 without heirs That these Lands and Tenem.^{ts} Since the Said Dyniards Death hath been Occupied by Charles Mynard Since Said Mynards Death by James Martin & his wife an hundred acres by Bartholomew Phillips & his Successors Two hundred acres by John Macart & John Dash Two hundred acres That no Title appears by w.^{ch} the Said Lands are or have been held Since Said Diniard's Death, And that the Rents have been duely paid by the present possessors to the Severall Sheriffs from time to time In

Liber C D Wittness whereof we have hereunto Set our hands & Seales may the 5.th 1679

John Goldsmithsealed	Jn. ^o Bullookersealed
Abraham Combesealed	Jno. ^o Knevetssealed
Henry Hornleysealed	Robert Bagensealed
Thomas Jordansealed	John Pulersealed
Thomas Lovesealed	Thomas Turpinsealed
Coline Mackenziesealed	W. ^m Colessealed

On the Back Side of the aforegoing Inquisition was thus written These are to Certifie that by virtue of a writt from the Hon.^{ble} Chancellors to us directed We have taken this Inquisition as Wittness our hands and Seals this fifth day of may Annoq̄ Domini 1679

1679

John Coad sealed

Justinian Gerrard sealed

Which Inquisition being Read and heard it is the Judgem.^t of the Court here this day to witt the fourth day of June in the fourth year of the Dominion of the Right Hon.^{ble} Charles Lord Baltmore &c.^a Annoq̄ Domini 1679 that the hundred acres of land on which Diniard Seated and is Escheated by the assignm.^{ts} on the Patent (is Escheated for want of heir. Nic: Painter Cl Cur Prov.^{alis}

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(fol. 263)

Ann Arundell County ss. Inquisition Tho: Hall's Land

By virtue of his Lopp's the Lord Prop.^{ty} Mandamus to us Nathaniell Heathcote and Richard Hill directed bearing date at S.^t Maries y.^e 11.th day of march Anno Dom 1679 Commanding that by the Oaths of twelve Good and Lawfull men of this County that the truth of the matter may be the better known and Enquired of That you diligently Enquire what Lands Thomas Hall late of Ann Arundell County dyed Seized of at the time of his Death as of fee in the S^d Co^{ty} and of what manno.^r and under what rent and Services and how much those Lands & Tenem.^{ts} are of value by the year in all issues And at what time the Said Thomas Hall dyed and who is his next heir and what age the heir is, and who those Lands and Tenem.^{ts} from the Death of the Thomas Hall hath or doth Occupy and the issue and profits thereof hath or doth receive and by what Title & how & in what manner and who hath paid the Rent for the Same and to whom and Inquisition thereof distinctly and openly make to his Lordship's Chancery under our hands and Seals and the hands and Seals of those by whom the Same Shall be made We Send without delay


In Obedience thereunto We Nathaniell Heathcote & Richard Hill the Eleventh day of Aprill Annoq̄ Domini 1679 have by the high Sheriff of the S.^d County of Annarundell Caused to be Summoned Twelve Good & Lawfull men of this Said County who have this day

made their appearance before us at the house of Robert Procter Liber C D
in the County afores^d Viz.^t Cap.^t Nicholas Gassoway, Nicholas
Greenberry Edward Dorsey John Dorsey, Cornelius Howard, Henry
Ridgely Henry Peirpoint, John Gather, Robert Wade Patrick Dun-
can Rich.^d Cheiney Sen.^r John Maccubin, and were Sworn for that
purpose, Which Said twelve men did unanimously Conceive agree
upon and declare as hereafter followeth viz.^t

That the Said Thomas Hall dyed in the month of November (fol. 264)
Annoq Domini 1655 and at the time of his Death was Seized of
Twenty acres of Land Commonly known by the name of Hall's
Land as of ffee Scituate and lying near Annarundell River in Todd's
Neck in the County of Annarundell at the Rent of five pence p
Annum held of the manno.^r of Ann Arundell as by Caveats as the
usage then in this province was (as we do Suppose) the Said Thomas
Had issue onely one Son named Christopher Hall who dyed aged
twenty and Six years without issue in the month of January Annoq
Domini one thousand Six hundred Seventy Six and by Will left in
writeing under his hand Seal did make and appoint his mother Eliza-
beth Hall als Record aged about forty and Six year his Sole heir

That the Said Land after the Death of the Same Hall was Occu-
pied and possessed by Benjamin Record about Eleven Years who did
receive the issue and profits thereof And paid the Rent for the Same
during the Said time and Since the Said Land hath been Occupied &
possessed by one Thomas Todd.....
Who hath lately procured a Patent for the Said Land in his own
name and Since his Death by William Stafford who hath and doth p. 218
receive the issues & profits thereof and paid the rent for the S.^d Land (fol. 264)
to his Lordship's high Sheriffs for the time being of Annarund^{ll}
County afores.^d for his Lordship's use that the Said Twenty acres
of Land is of value one hundred pounds of Tobacco p Annum Also
the Said Thomas Hall dyed Seized of one hundred and Eighty acres
of Land Called Which was afterwards Granted under
Patent to the aforesaid Christopher Hall now in the possession of
Nicholas Gassaway and the rent duely paid

Nathan.^{ll} Heathcote sealed
Richard Hill sealed

Nicho. ^s Gassaway	sealed	Hen: Peirpoint	sealed
Nicho. ^s Greenberry	sealed	John Gather	sealed
Edward Dorsey	sealed	Robert Wade	sealed
John Dorsey	sealed	Patrick Duncan	sealed
Cornelius Howard	sealed	Rich. ^d Cheiney Sen. ^r	sealed
Hen  Ridgely	sealed	John Maccubin	sealed

Which being Read and heard It is Ordered by the Court here
this day to witt the fourth day of June Annoq Domini 1679 that a
Scire facias issue to William Stafford Tennant in possession of the

Liber CD above mençoned 20 acres of Land that he be and appear before his Lordships Justices at the next Provinciaall Court to Shew Cause if any he have why the Grant of the Said Land Surreptitiously obtained by one Thomas Todd deceased ought not to be adnulled and made Void upon Record

Nic: Painter Ct Cur Prov.^{alis}

Ann Arundell County ss. Inquisition Oliver Holloway's Land

By virtue of his Lordship's the Right Hon.^{ble} the Lord Proprietary Mandamus to us Nathaniell Heathcote & Samuell Lane directed bearing date at S.^t Maries the Twenty Seventh day of march Annoq̃ Domini 1679 Commanding us that by the Oaths of twelve Good & Lawfull men of this County that the truth of the matter may be the better known and Enquired of That you diligently Enquire what Lands Oliver Holloway late of this County deceased dyed Seized of at the time of his Death as of ffee in the Said County and of what manno.^r and under what Rents and Services and how much those Lands & Tenem.^{ts} are of value by the year in all issues and at what time the S.^d Oliver dyed & who is his next heir and at what age the heir is and who those Lands & Tenem.^{ts} from the time of the Death of the Said Oliver hath or doth Occupy and the issues and profits hath or doth receive & by what Title & how in what manner & who hath paid the Rent for the Same & to whom and Inquisition thereof distinctly and openly make into his Lordship's Chancery under our hands and Seals and the hands and Seals of those by whom the Same Shall be made without delay we Send

In Obedience thereunto We Nathan.ⁿ Heathcote & Samuell Lane the 4.th day of Aprill Annoq̃ Domini 1679 have by the high Sheriff of the Said County Caused to be Summoned twelve Good nad Lawfull men of this County who have this day made their appearance before us viz.^t Henry Hanslup, Robert Lockwood, Thomas fford, Tho.^s Pratt John Walters Anthony Holland, W.^m Horne Thomas Dabourne Rich^d Gott ffrancis Butler Robert Castins Thomas Brown and were Sworn for that purpose w.^{ch} Said twelve men have unanimously Concurred & agreed upon and declared upon their Oaths as hereafter followeth Viz.^t That the Said Oliver Holloway dyed in the month of November Annoq̃ Domini 1676 and that he was Seized at the time of his Death of four hundred and fifty acres of Land in Ann Arundell County as of ffee Called Hollaways Increase as of the manno.^r of the Said County in free and Common Socage by fealty only for all Services Reserving only to his Lordship 2.^s 1.^d $\frac{1}{2}$ p Annum Rent and that the S.^d Rent Remains unpaid Ever Since the Said Oliver was Seized of the Same and is of value more than the aforesaid Rent one Bushell of Corn p annum

That the Said Oliver Hollaway at the time of his Death was Seized of one hundred acres of Land more in the Said County with one

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(fol. 265)

(fol. 266)

Small dwelling house & other out housing upon the Same as of Liber C D
 ffee Comonly Called Olivers neck of the manno.^r of Ann Arundell in
 free & Common Soccage by fealty onely for all Services Reserveing
 to his Lordship the Rent of 2.^s p^m and that the Said Rent hath been
 yearly paid to his Lordship's high Sheriff of Ann Arundell County
 for the time being. And that the Said Land and Tenem.^{ts} is of
 value Two hundred pounds of Tobacco p annum more than the Said
 Rent

That both the afores.^d parcells of Land have been & Still are
 Occupied Since the Death of the afores.^d Oliver Hollaway By Dianah
 the relict of the Said Oliver & one Thomas Lunn that Inter-
 married with the Said Dianah and paid the Rent duely of the Said
 one hundred acres of Land Commonly Called Oliver's neck

That the Said Oliver Holloway dyed without issue heir or Will
 that they Can find

Nathan.^{ll} Heathcote sealed
 Samuell Lane sealed

Henry Hanslapsealed	W. ^m Hornesealed
Robert Lockwoodsealed	Tho Dabornesealed
Thomas ffordsealed	Richard Gottsealed
Tho: Prattsealed	Fran: Butlersealed
Jn. ^o Walterssealed	Robert Castinssealed
Antho: Hollandsealed	Thom: Brownsealed

Which being Read and heard it is the Judgm.^t of the Court here
 this day to witt the fourth day of June in the fourth year of y^e
 Dominion of the Right Hon.^{ble} Charles Lord Baltmore &^c Annoq
 Domini 1679 That Dianah the Relict of the Said Oliver Holloway
 have her Dower of and in the aforesaid two parcells of Land, and
 that the Inheritance thereof be in his Lordship for want of heir

Nic: Painter Ct Cur Prov.^{alis}

Maryland ss. Inquisition The Mill Land

(fol. 267)

An Inquisition Indented taken upon the tenth day of Aprill in
 the fourth year of the Dominion of Charles absolute Lord and Pro-
 prietary of the Provinces of Maryland and Avalon Lord Baron of
 Baltimore &c.^a Annoq Domini 1679 at the house of m.^r Stephen
 Murty Scituate & being on the Mill Land at the head of Brittons
 Bay in the County of S.^t Maries in the Province of Maryland By
 virtue of a Commission in the nature of a mandamus issued out of
 his Lordship's high Court of Chancery to us Richard Lloyd and
 Clement Hill Gent directed by the Oaths of twelve Good and Lawfull
 men of the Same County of S.^t Maries by whom the truth of the
 matter may the better be known and Enquired of who is the Right
 Owner of an heir to a tract of Land Called the Mill Land Lying at the
 head of Britton's Bay in the Said County of S.^t Maries and what age

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 (fol. 267)

Liber CD the heir is and of what manno.^r and under what Rents & Services and how much those Lands and Tenem.^{ts} are of value by the year in all issues and who those Lands and Tenem.^{ts} hath or doth Occupy and the issues and profits hath or doth receive and by what title and how & in what manner and who hath paid the Rent for the Same & to whom, We do by the Oaths of m.^r John Warren James Pattison, Thomas Kirkely Peter Mills W.^m Cole Thomas Bassett Robert Beard, Henry Spinke Peter Pake Robert Thomas, Robert fford and Cap.^t John Cambell who being all ready Sworn Say as followeth

That the Right Hon.^{ble} the Lord Proprietary of the S.^d Province and by his Patent under the Great Seale of the Said Province bearing date the Sixth day of may Annoq Domini 1651 Give Grant and Enfeoffe unto Walter Pake of the County & Province af.^d his heirs & assigns for Ever all that parcell of Land or Tract of Land Lying on the East Side of Brittons bay near the head thereof Containing and Laid out for Eleven hundred acres more or Less To be holden of the manno.^r of West S.^t Maries Yeilding and Paying therefore yearly unto his Said Lordship his heirs and Successors one pound two Shillings Sterling or Eleven Bushells of Good Corn at the feast of the Nativity of our Lord To be holden in free and Common Soccage by ffealty onely for all Services as Relation being had to the patent may more at Large appear By virtue of w.^{ch} Grant or Patent the Said Jurors do upon their Oaths Say That the said Walter Pake became Seized and possessed of the premisses and being So Seized and possessed thereof the Said Walter Pake did by writing under his hand bearing date the tenth day of ffebruary Anno 1652 being menconed and Endorsed on the Back Side of the Patent aforesaid assign all his Right Title and Interest of in and to the premisses to Paul Sympson his heirs and assigns for Ever And the Said Jurors do upon their Oaths farther Say That the S.^d Paul Sympson became Seized and possessed of the premisses and being So Seized and possessed thereof the Said Paul Simpson did by writing under his hand the date not known but Some part thereof to be Seen Endorsed on the back Side of the s.^d Patent assign all his Right Title and Interest of in and to the Same premisses unto Nicholas, John and Peter Mills as by the Testimony of the Said Peter Mills one of the Juro.^{rs} doth appear By virtue of which assignm.^t they became Seized of the Same and being So Seized and possessed thereof the S.^d Nicholas John & Peter Mills did by writing under their hands bearing date the Twelfth day of December Anno 1653 being menconed and Endorsed on the back Side of the Said Patent assign all their Right Title and Interest of in and to the premisses to John Medley his heirs and assigns for Ever By Virtue of w.^{ch} assignm.^t the Said John Medley became Seized and possessed of y.^e p^rmisses and being So Seized and possessed thereof the Said John medley did by writing under his hand bearing date

the nineteenth day of July Anno 1656 being menconed and Endorsed on the back Side of the Said Patent assign all his Right and Title of the Said Patent unto John Mills and Peter Mills By virtue of w.^{ch} they became Seized and possessed of the premisses and being So Seized and possessed thereof the Said John and Peter Mills did by writeing under their hands bearing date the fourth day of August Anno. 1656 being menconed and Endorsed on the Backside of the Said Patent assign all their Right Title and Interest of in and to the premisses unto the Said John Medley his heirs and assigns And the Jurors do upon their Oaths further Say that to the best of their Judgm.^{ts} having perused what writeings and Evidences Came before them that William Medley Son of the Said John Medley is Right heir of the mill Land aforemenconed And the Juro.^{rs} do further Say that the heir is Twenty Six years of age and upwards, And the Jurors do further Say that as far forth as they can find his Lordship by his Receivers appointed to Collect the Same hath yearly Received his Rents of the premisses of the Severall persons in whose possession the premisses have been And the Said Jurors do upon their Oaths further Say that the Land and Tenements on the Land aforesaid are of value by the year in all issues the Summe of five hundred pounds of Tobacco And the Jurors do upon their Oaths further Say that m^r Stephen Murty doth Occupy the Lands and tenements afores.^d and the issues and profits thereof doth receive By virtue of a Bargain and Sale Indented in writeing under the hand and Seale of the aforesaid William Medley unto the Said Stephen Murty bearing date the Twenty first day of ffebruary Anno Domini 1676 in fee Simple to him the S.^d Stephen Murty and his heirs for Ever And the Jurors do further upon their Oaths Say that the Said John Medley and his heirs hath paid his Lordship's Rent for the Said Mill Land about Twenty two years, In Testimony whereof as well the Commission.^{rs} as Juro.^{rs} af.^d have hereunto Set their hands and Seals the day and year first above written

(fol. 269)

Richard Lloyd sealed }
Clement Hill sealed } Commission.^{rs}

m. ^r John Warren sealed	Rob. ^t Beard sealed
James Pattison sealed	Henry Spink sealed
Thomas Kirkley sealed	Peter Pake sealed
Peter Mills sealed	Rob. ^t Thomas sealed
W. ^m Cole sealed	Rob. ^t fford sealed
Tho: Bassett sealed	John Cambell sealed

Which being Read and heard It is the Judgm.^t of the Court here this day to witt the fourth day of June in the fourth year of the Dominion of Charles Lord Baltemore &c^a Annoq Domini 1679 that William Medley Son of the S^d John Medley decd is heir to the Lands in the aforegoing Inquisition menconed

Nic: Painter Ct Cur Prov.^{alls}

Liber C D To the Right Hon.^{ble} Charles absolute Lord and Prop.^{ty} of
 p. 222 Maryland &c.^a
 (fol. 269)

The Humble Petition of Richard Rawlins of Ann Arundell County In most humble manner Sheweth

That your Lordship's Petition.^r did Some years Since Administer upon the Goods and Chattells of John Venold of the Co.^{ty} afores.^d late deceased who dyed without heir and left a Small Tract of fifty acres of Land which Since his Death had been Seated and
 (fol. 270) possessed by your Lordship's Petition.^r That yo^r Lordship's Petition.^r understanding that the Said Land might in Some press of time become your Lordship's by Escheat did humbly Supplicate yo^r Lordship that in Case the s^d Land Should be Escheated to your Lopp^r your petitioner before any other person might have your Lordship's Grant of the Same Considering he was already upon the Land and was not a Little damnified by the Administracon of the Said deceased's Estate.

That your Lordship upon your Petition.^{rs} humble Supplication was was pleased to vouchsafe your petitioner the Satisfaction of your Lordship's word and promise that your pet.^r Should have the refusall of the Said Land before it Should be Granted or disposed of by your Lordship to any other.

That there is one John Barker of the County aforesaid who Liveing upon a Certain Tract of Land near to adjoyning to the S^d 50 acres of Venall purposeth Suddenly to address himself to yo.^r Ld^p for a Grant of the Same and thereby to frustrate and disappoint the firm Trust and Confidence w.^{ch} your Lordship's petitioner hath all this time reposed in your Lordship's Gracious promise Vouchsafed him as aforesaid

Wherefore your Lordship's petitioner humbly Craveth Leave to put yo.^r Lordship in mind of your Said word and promise & prayeth your Lordship to Vouchsafe him your Lordship's Speciall warrant for Resurvey of the Said Land in order to your Lordship's Granting and Confirming the Same to your Petition.^r

And yo.^r Petition.^r Shall Ever pray &c

At the foot of the aforegoing Petition was thus written Viz.^t
 Mattapany marcij 1678/9

Let there be a Mandamus issued out of the Sec.^{rys} office Concerning the fifty acres of Land that was formerly Jn.^o Venalls mentioned in the petition above

C Baltemore

To W.^m Calvert Esq

Sec.^{ry} of Maryland

March y.^e 3.^d 1679

Mandamus then issued to Richard Hill and Thomas Bland Gent that by the Oaths of xij & they Enquire what Lands John Venolds dyed Seized of in Ann Arundell County Returnable without delay

To the Right Hon.^{ble} Charles Lord Baron of Baltimore &c
The Humble Petition of George Yate
Humbly Sheweth

Liber C D
(fol. 271)

That about Seven Years Since or thereabouts one Richard Mascall of the County of Ann Arundell in Patapsko River was about that time possessed of a Small Tract of Land Called Mascall's Rest Lying in the Said River Containing about Two hundred and thirty acres Now So it is may it please your Hono.^{rs} that the Said Mascall departed this Province about Seven years Since and is now dead and left no heir behind him neither hath the Rent been paid to your Lordship as of Right it ought to be to the Certain knowledge of your petitioner So that the Said Land of Good Right and according to Law is Escheated to your Lordship which being So made appear according to the known precepts of this Province Your humble petition.^r prays that your Lordship will be pleased to Grant the Said Land to your petition.^r upon Such Terms as to yo.^r Hon.^r Shall Seem meet and your petition.^r as in duty bound Shall Ever pray &c.^a

p. 223
(fol. 271)

George Yate

On the Back side of the aforegoeing Petition was thus written
Viz.^t A Writ of Mandamus for the Enquiry into this Land be
issued forth C: Baltimore

Inquisition Rob.^t Sheale's Land

An Inquisition Indented taken at the house of W.^m Roswell at New town in S.^t Marys County on Tuesday the 13.th day of may 1679 before us John Manley and Robert Carville Gent By virtue of a Commission issued out of his Lordships high Court of Chancery in the nature of a mandamus to us directed by the Oaths of twelve Good and Lawfull men of the Said County by whom the truth of the matter may be the better known and Enquired of diligently to Enquire whose Lands Rob.^t Sheale of S.^t Marys Co.^{ty} deēd dyed Seized of and of what manno.^r and under what rents and Services and how much those Lands and Tenem.^t are of value by the year in all issues and at what time the Said Robert Sheale dyed and who is his next heir and what age the heir is and who those Lands and tenem.^{ts} from the time of the Death of the Said Richard Sheale hath or doth Occupy and the issues and profits hath or doth receive and by what title and how and in what manner, and who hath paid the Rent for the Same and to whom by the Oaths of Stephen Murty Stephen Gough, Abraham Taylor John Brown, William Shercliffe James Pattison, John Noble John Baley, Richard Burkett, Thomas Nottingham, Thomas Salmon and Daniell Hammond Who being duely Sworn upon the Holy Evangelists do upon their Oaths Say as followeth

(fol. 272)

Liber C D That one William Stiles of S.^t Maries County deēd being in his life time Seized in his demeanse as of ffee of a Certain Tract of Land and Plantation Seated on Brittons Bay in New town hundred in the Said County which he held by assignm.^t from Rich.^d Nevitt of the Same County who held the Same by Patent from the R.^t Hon.^{ble} the Lord Proprietary bearing date the Twentieth day of October 1653 he the Said William Stiles did by writeing under his hand and Seale Recorded in S.^t Marys County Court bearing date the tenth day of November 1658 Sell and make Over unto Robert Sheale of the hundred afores.^d fifty acres of Land be it more or Less being part of the Said plantation or Tract of Land of one hundred acres Whereon the Said William Stiles did then live And being divided by the aforesaid parties as followeth Viz.^t Beginning at a marked white oake Standing near the Dividing line betwixt the Land of m^r Hammond and the aforesaid Stiles & Running west north west to Brittons bay to a marked Red oake Standing near the Bank of the Said Bay and Lying north west upon the Said Bay & then Beginning at a marked Cædar upon the Banck of the afores.^d Bay and from the Cædar to a marked Red oake Standing upon the East north East Side of a Little marsh Giveing all the marsh to the above menēoned Sheale and then running from the Said Oake by the marsh East South East to another marked oake near the parallel line betwixt the S.^d Hammond & Stiles all which land he the S.^d W.^m Stiles did Sell and make Over unto Robert Sheale and his heirs for Ever and did warrant the Same from all Just Claims in Law ag.^t any person or persons whatsoever he the Said William Stiles haveing received a Valuable Consideration therefore as by the Said patent and writeing to us now produced may more fully appear by virtue of w.^{ch} writeing the Said Robert Sheale Entered into and became Seized and possessed of the Said fifty acres of Land and being So Seized and possessed he the Said Robert Sheale upon the 5.th day of march 1662 dyed Leaveing Bridgett Sheale his widdow in possession thereof And the Said Juro.^{rs} do upon their Oaths Say that the one hundred acres of Land is held of the manno.^r of West S.^t Marys under the yearly rent of two Shillings Sterling or one Bushell of Good Corn payable at X^tmas and that the Said fifty acres of Land is worth by the year if the Same were to be let out now according to the Improved value over and above the Lords Rent five Bushells of Indian Corn p^r Annum And that Since the Death of the Said Robert Sheale the Said Bridgett Sheale his Relict held and Enjoyed the Same till Such time as She married to one Gregory Rowse and there the Said Gregory and Bridgett in Right of the s^d Bridgett did hold the Same till the Death of the Said Bridgett which was about march last past And that the Said Gregory Rowse is now in possession thereof and the Lords Rent for the whole one hund.^d hundred acres of Land hath been duely paid and

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(fol. 272)

(fol. 273)

discharged by James Pattison the assignee and present possessor of the other fifty acres of Land and the Jury afores.^d do upon their Oaths further Say That the Said Robert Sheale dyed without any issue of his Body Lawfully begotten and left no heir at Law to him the Said Robert to Inherit in the Land afores.^d nor made any Disposition thereof to any pson whatsoever in his life time to the knowledge of the Jurors af.^d But by what Right or Title the s.^d Bridgett dureing her widowhood or the Said Gregory & Bridgett Since their Inter-marriage held the Same or the s.^d Gregory now holds the Same the Jurors aforesaid are wholly Ignorant

John Manley }
Robert Carvile } Commission^{rs}

Stephen Murtysealed	John Noblesealed
Stephen Goughsealed	John Baylysealed
Abram Taylorsealed	Rich. ^d Birkheadsealed
John Brownsealed	Tho Nottinghamsealed
W. ^m Shercliffesealed	Tho Salmonsealed
Ja. ^s Pattisonsealed	Dan. ^{ll} Hammondsealed

Which being Read and heard It is the Judgm.^t of the Court here this day to wit the 23.th day of November in the 5.th year of the Dominion of the R.^t Hon.^{ble} Charles Lord Baltemore &c Annoq Dom 1680 that the fifty acres of Land in the aforegoing Inquisition mençoned where the Said Robert Sheale dyed Seized is Escheated unto his Said Lordship for want of an heir

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(fol. 273)

To the Hon.^{ble} Justices of the Provinciall Court

(fol. 274)

The humble Petition of Richard Hill Gent Sheweth

That one Thomas Bland in may 1679 did Exhibit his Bill of Comp.^{it} into this Court ag.^t Edward Dorsey & his wife & other defend.^{ts} and amongst others that he named defend.^{ts} yo.^r Pet.^r was one that was Served with a Sp.^a Returnable 4th may to Answer the Said Bill to w.^{ch} your pet.^r appeared & haveing appeared and perused the Said Comp.^{its} Bill doth find the Same to be meerly Vexatious & to put your pet.^r to unnecessary Expences & Charges in taking out Copys of Long pleadings and to putting him to great pain & trouble in travelling to the Court about the Same yo.^r pet.^r being no ways concerned or any ways privy to any y.^c transactions Between the Said p.^{lt} and defend.^{ts} Dorsey and his wife who are y.^c onely defend.^{ts} haveing denied all Combination Charged against him by the p.^{lts} with any the other def.^{ts} and the p.^{lts} have So far pceeded as they are Ready for a hearing without this defend.^{ts} answer So that it is plain that yo.^r petition.^r is no materiall defend.^t to the Said Bill

Liber C D Yo.^r Petition.^r therefore humbly prays that he may have his Costs for his unjust and Vexatious Suit against him

And he Shall pray &c.^a

Which being Read and heard it is Ordered by the Court here the day to witt the 6.th day of June in the fourth year of the Dominion of Charles Lord Baltemore &c Annoꝝ Domini 1679 that the afores^d Thomas Bland pay unto the Petiṭon^r all his Costs and Charges if it Shall appear upon hearing of the Cause that the Said Thomas Bland for Vexation onely makes the pet.^r a defend.^t to the Suit in Chan^{ry} in the above petition menṭoned

Nic: Painter Cf Cur Provalis

To the Right Hon.^{ble} Charles absolute Lord and Proprietary of the Provinces of Maryland &c

The Humble Petition of John Hunt one of the Guardians of John & Nicholas Lurke Orphants in their behalf Sheweth

That Whereas your Lordship of your Good pleasure did Give unto Mary Lurke mother of the Said Orphants 150 acres of Land Late in the Tenure of John Potter for which Nicholas Lurke their father hath paid Rent these Severall years as by Receipts may appear Now this is humbly to beseech your Lordship to Confirm the Land now unto them whereby the Said Land may be patented Joynly in their names according as their father in his last will & Testam.^t bequeathed it And yo.^r pet.^r and the Said Orphants Shall humbly pray for your Lordship's prosperity

50 acres Called Cabbin neck John Dodson

50 acres Called Potter's Delight

50 acres Called Potters Lott

150 acres

p. 226 28th ffebruary 1678
(fol. 275)

Let a Scire facias issue out of the Secretary's office in order to have a Certain Informaṭon whether the 150 acres above Specified be Escheatable or not if Escheatable then to pass Grant to the Orphants in the Petition menṭoned

C: Baltemore

To William Calvert Esq
Sec.^{ry} of Maryland

march the 6.th 1679

Mandamus then issued to William Coursey & Anthony Male to Enquire whether the above menṭoned one hundred and fifty acres of Land be Escheatable to his Lo^{pp} or not returnable without delay

M.^r Secretary

Liber C D

Issue a Writt of Mandamus to Enquire what Lands John English of Cæcill Co.^{ty} dyed Seized of in Common form & for So doing this Shall be your warrant Given under my hand this 21.th day of June 1679
C Baltemore

June y.^e 28.th 1679

Mandamus then issued to Augustine Harman & Jonathan Sybrey of Cæcill County that by the Oaths of 12 &c they diligently Enquire what Lands John English of Cæcil County dyed Seized of in Cæcil Co.^{ty} Retur without delay

To the Right Hon.^{ble} Charles Lord Baltemore

The Humble petition of Hugh Merrikin Humbly Sheweth

That your Peti^{cion}.^{rs} mother was possessed of about fifty acres of Land Lying on the north Side Severne in Ann Arundell County that the Said Land descended to your Pet.^{rs} Brother after the Death of yo.^r pet.^{rs} mother who Sold the Said Land to one William Drury But never Received of the Said Drury any Consideration for the Same that the Said Drury dyed about three years Since without leaving any heir to Inherit the Same and that the Said Land is now (fol. 276) become Escheated to your Lordship

Your Pet.^r humbly prays that a writt of Enquiry may issue out for the Said fifty acres of Land, and if the s.^d fifty acres Shall prove Escheated to yo.^r Lopp that yo.^r Pet.^r may have the favour to be the purchaser of the Same

And yo.^r pet.^r as in duty Bound shall shall pray &c

Hugh Meriken

Let a Mandamus issue according to the Request of the Pet.^r 3.^d day June 1679

C Baltemore

To the Hon.^{ble} William Calvert Esq

Principall Secretary of this province

June y.^e 5.th 1679

Mandamus then issued to William Hopkins & Mathew Howard of Ann Arundell County that by the Oaths of twelve &c they diligently Enquire what Lands William Drury late of Ann Arundell County de^{ced} dyed Seized of in Ann Arundell County returnable without delay

To the Rt. Hon.^{ble} Charles absolute Lord & Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c

The humble Petition of William Rawles Humbly Sheweth

That there is a piece of Land Called Carlines delight Lying in Kent Island Containing (as yo.^r pet.^r conceives) 188 acres w.^{ch}

Liber C D Land yo.^r pet.^r is informed was part of the Land in Patent of one Hewitt who Sold it to Will.^m Resbrooke who was drown'd & afterwards his wife was possessed She dyed & ffrancis Lumbard that Lived with her was possessed he mortgaged it to Thomas Marsh who Entered upon the forfeiture & Sold it to Thomas Hynson who Sold it to Henry Carline he left to his widow She marryed w.th W.^m Head & Dyed and William Head being possessed Marryed afterwards to Eliz.^a Cash who Survived him and afterwards marryed your pet.^r And further Sheweth that there is adjoyning about Two hundred and twelve acres w.^{ch} was formerly Thomas Hills Land and for want of heirs was in march Court last Returned Escheated to your Lordship and the other will also be Escheated next Court

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(fol. 276)

(fol. 277) Your Petition.^r humbly prays he may be the Purchaser of the S^d two parcells of Land at Such rate and price as yo^r Lordship in your Clemency and wonted favour to your people Shall think fit

And he Shall Ever pray &c

At the foot of the foregoing Petition was thus written Viz.¹
I do Consent that the petitioner be the purchaser of the s^d two pcells of Land when both are Escheated

C: Baltemore

And thus

This four hundred acres was all in Hewitts Patent Called Craney neck and Carlines Delight to William Rawles and his heirs

Henry Stockett hath Given me Security to Prosecute his writt of Evic.ⁿ ag.^t Peca next Assembly

Phillip Calvert

June 19.th 1678
m.^r Painter

The Hon.^{ble} the Chancello^r hath Commanded to bidd you to putt a Stopp to the writt of Erro.^r Between Stockett and Peca till Peca or his Attorney be heard therein and better Security be Given by Stockett I am

Yo.^r friend and Serv.^t Rob^t Carville

Peca's objection against Stocketts Security and Writt of Erro.^r
I on the behalf of Peca object that there ought not to issue out a writt of Error returnable in the Assembly to Reverse the Judgm^t of the Provincially Court in Correcting of Erro^{rs} in the County Court Also the Security taken by his Hono^r the Chancello^r to witt, ffrancis Stockett & James Stavely I humbly conceive not Sufficient they being psons that have no Visible Estates in this Province that we know of Also the Security for ten thousand pounds of Tobacco is farr too Little being the Law doth allow trouble Costs and damages and therefore it ought to be fifty thousand pounds of Tob.^o at the Least Lastly this Security was Given ex parte where Peca or his

(fol. 278) attorney ought to have been present and made these their objections

And So they pray Stay of the writt of Erro.^r till better Security and
Peaca heard And in the mean time to proceed to taxing of Costs
That his Hono.^r may know what Security to take if writt of Erro.^r
issue
Rob.^t Carville

Liber C D

19^o June 1678

Let no writt of Erro.^r issue till Peca or his Attorney be heard for
the Reasons Given
Phillip Calvert

The Reason why Henry Stockett Craves his writt of Erro.^r
returnable in the Assembly to Reverse the Judgm.^t of the Provinciaill
Court in Correcting Erro.^r in the County Court Between him the
Said Stockett and Rob.^t Peace as followeth

First that the writt of Erro.^r & Supersedeas was unduely obtained
by Peca quite Contrary to an Act of Assembly in Such Cases made
and provided Intituled an Act to prevent unnecessary delays of
Execucon That no Execution upon any Judgm.^t in any Court of
Record in this Province Shall be Stayed or delayed by any writt of
Erro.^r or any Supersedeas upon any Such writt of Erro.^r Shall be
Sued out for the Reverseing of Such Judgements Given or to be
Given in any Court of Record in this Province upon any Execution
whatsoever unless Such person or persons in whose name or names
Such Writt Shall be brought and obtained with Sufficient Security
or Securitys Such as the Court where Such Judgm.^t Shall be Given
Shall allow of Shall before Such Stay made By Writt of Erro.^r or
Supersedeas awarded be bound unto the party for whom any Such
Judgm.^t is or Shall be Given by Recognizance to be acknowledged
in the Same Court in double the Summe adjudged to be Recovered
by the former Judgm.^t to prosecute the Said writt of Erro.^r with
Effect &c notwithstanding w.^{ch} the S^d Robert Peca hath not put in
Security in manner and form as the S.^d Act in that Case doth Re-
quire So that the proceedings upon the s^d Peca's writt of Erro.^r &
Supersedeas unrightly obtained as afores.^d are undue illegall and
Erroneous therefore the Said Stockett humbly Craves his writt of
Erro.^r and Supersedeas to Stay Execution in the s^d Cause Between
Peca and him the Said Stockett, And that the s^d Stockett may have
time to Sign his Erro.^r till next Court and that the Same may be
assigned before the next Generall Assembly
George Parker

p. 228
(fol. 278)

The Answer of Henry Stockett to the Objections put in by
Robert Peaca against the Said Stocketts Security & Writt of Erro.^r
by George Parker his Attorney as followeth (fol. 279)

1 First as to the Objection that there ought not to issue out a writt
of Erro.^r returnable in the Assembly to reverse y.^e Judgm.^t of the
Provinciaill Court in Correcting of Erro.^r in the County Court the
Said Henry Stockett Saith that by a Certain Act of Parliam.^t for
Redressing of Erroneous Judgments in the Court Commonly Called

Liber C D the King's Bench in Anno 27.th Regineo Eilizabeth Chap: 8 It is Enacted that Such reversall or affirmation of any such former Judgm.^t Shall not be So finall but that the party who findeth him agrieved therewith Shall & may Sue in the high Court of Parliament for the further & due Examination of the Said Judgm.^t in Such Sort as is now used upon Erroneous Judgm.^{ts} &c and that the party plant or defend.^t against whom any Such Judgm.^t Shall be Given may at his Election Sue forth out of the Court of Chancery a Speciall writt of Erro.^r &c^a

2 To the Second objection the Said Henry Saith that the S.^d ffrancis Stockett & James Stavely are Good and Sufficient Security being psent that have Good and Visible Estates in this Province farr beyond the Validity of the Said Cause w.^{ch} is well known to the most of his Lordship's Good people in the Said province

3 To the third Objection the Said Henry Saith that the s^d Peaca mistakes the Law to Say that the Law doth doth allow treble damages when the Law of England & likewise the Law of this Province do do Enjoyn all such person or persons in whose name or names Such Wrirtt Shall be brought & obtained to Enter into Recognizance to y^e party concerned but in double the Summ adjudged to be Recovered with the debt damages and Costs adjudged &c The S.^d debt being but two thousand Six hundred pounds of Tobacco and the Sum^e of Eight hundred ninety Seven pounds of Tobacco for Costs in all amounting to the Summe of three thousand four hundred ninety Seven pounds of Tob.^o So that he humbly conceives he hath Given Security beyond what the Law Requires in Such Cases made and provided

p. 229
(fol. 280) 4 To the fourth Objection the Said Henry Saith that he is in no ways obldged by the Law to forbear to put in Security before his Hono.^r the Chancello.^r to prosecute his wrirtt of Error with Effect untill Peaca or his Attorney be present being no ways Limited or Barred by any Law or Practice in Such Cases and that the Said Peaca ought not to proceed in Taxing Cost But if any Costs be taxed to be done in open Court where the Said Stockett or his Attorney may be present to make their Objections So that he the Said Henry Humbly Conceives that he ought not to be barred from haveing his wrirtt of Erro.^r af.^d and Craves that he may have a wrirtt of Supersedeas to Stay Execution in the S.^d Cause between the Said Peca and him the Said Stockett

All which matters and things he humbly Submitts to the Judgm.^t of the Hon.^{ble} Thomas Notley Esq^r Chief Justice of the Province of Maryland and the rest of his Lordship's Justices of the Prov.^{ll} Court &c^a

George Parker

Ann Arundell ss. Inquisition W.^m Hunts Land

Liber C D

By virtue of his Lordship's the Lord Proprietary's Mandamus to Nathaniell Heathcote and Samuell Lane Gent of Ann Arund.¹¹ County directed bearing date at the City of S.^t Marys the four & Twentieth day of march in the fourth year of his Lordship's Dominion Annoq Domini one thousand Six hundred Seventy eight Commanding us by the Oaths of Twelve Good & Lawfull men of the Said County of Ann Arundell diligent Enquiry be made who hath or doth on upon a Certain Tract of Land Containing by Survey and Grant under the Great Seal of this Province to W.^m Hunt late of this Co^{ty} of Annarundell bearing date the five and Twentieth day of September one thousand Six hundred Sixty and three, Three hundred and fifty acres And who the issues and profits thereof hath and doth receive and by what Title and how and in what manner And that diligent Enquiry made who hath paid the rent for the Same and to whom And the Inquisition thereof openly made to his Lordship's Chancery under our hands and Seales and the hands and Seals of those to whom the Same Shall be made without delay we Send and also the Said Writt.

In Obedience thereunto We Nathaniell Heathcote and Samuell Lane the four & Twentieth day of Aprill Annoq Domini 1679 have by the high Sheriff of the Said County of Ann Arundell Caused to be Summoned Twelve Good and Lawfull men of this County of Ann Arundell at the house of Ann Chew Widow in the County of Ann Arundell af.^d who this day made their appearance before us viz.^t John Salle Thomas fford, Walter Carr William Sivewick Gerrard Hopkins Richard Wells John Gaile, Henry Bennett, Samuell Renaldger Thomas Morgan Richard Beward And were then Sworn before us for that purpose w.^{ch} Said twelve men upon diligent Enquiry had and open Search made unanimously Concurr agree and declare as hereafter followeth viz.^t (fol. 281)

That the Said William Hunt in the year of our Lord 1663 by Virtue of a Grant or Patent bearing date at the City of S.^t Maries y.^e 25.th day of September in the two and thirtieth year of the Dominion of the late Right Hon.^{ble} Cæcilius of Hon.^{ble} memory was Seized of three hundred acres of Land in the County of Ann Arundell Called Maidstone Lying West of Herring Creek and that the Said Will.^m Hunt as appears Indorsed on the back side of the Said Patent on the fifteenth day of the month of January next following did Sell assign and Set over all his Right Title and Interest to the afores.^d Patent and Land to one William Crosley And that the s^d Lands have not been Seated or Occupied at any time Since, And that no issues or profits have arisen thereof or been made by any pson whatsoever, And further the aforesaid Twelve men do find that the Rent of the afores.^d three hundred and fifty acres of Land Called p. 230 (fol. 281)

Liber CD Maidstone in the County of Ann Arundell afores.^d was in the year of our Lord 1677 for the term of Seven years from thence fore past was paid unto m.^r John Welsh then high Sheriff of the Said Co.^{ty} by m.^{rs} Ann Chew Widdow of the Same County, In Wittness whereof we the Said Nathaniell Heathcote and Samuell Laine and also the aforesaid twelve men have hereunto Set our hands and Seals dated the four and Twentieth day of Aprill Annoq̃ Domini 1679

Nathan.^{ll} Heathcote sealed

Sam.^{ll} Laine sealed

John Sallers	sealed	Richard Wells	sealed
Tho: ffoard	sealed	John Gaile	sealed
Walter Carr	sealed	Henry Bennett	sealed
W. ^m Sivewick	sealed	Sam. ^{ll} Reniger	sealed
Rich ^d Deavor	sealed	Thomas Morgan	sealed
Gerr ^d Hopkins	sealed	Rich ^d Bidwort	sealed

(fol. 282) Which being Read and heard It is Ordered by the Court here this day to witt the fourth day of June in the fourth year of the Dominion of the Right Hon.^{bic} Charles Lord Baltimore &c Annoq̃ Domini 1679 that a melius Inquirend: issue better to Enquire concerning the Lands in the foregoing Inquisition menconed

Nic: Painter Clk Cur Provincialis

Maryland ss Inquisition Coll.^o William Evan's Land

An Inquisition Indented taken the thirteenth day of may in the fourth year of the Dominion of Charles absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c.^a Annoq̃ Domini 1679 at the house of m.^r Cuthbert Scott Scituate and being near S.^t Clements bay on the East Side thereof in the Co.^{ty} of S.^t marys in the Province of maryland by Virtue of a Commission in the nature of a mandamus issued out of his L^{tds} high Court of Chancery to us Clement Hill & Richard Gardner Gent directed whereby we are Commanded by the oaths of twelve Good and Lawfull men of the S.^d County diligently to Enquire what Lands Coll.^o William Evans late of S.^t Marys Co.^{ty} deēd dyed Seized of at the time of his Death as of fee in the County of S.^t Marys and of what manno.^r and under what Rent and Services and how much those Land and Tenem.^{ts} are of value by the year in all issues and at what time the S.^d Coll.^o Evans dyed and who is his next heir and what age the heir and who those Lands & Tenem.^{ts} from the time of the Death of the Said William Evans hath or doth Occupy and the issues & profits hath or doth receive and by what Title and how & in what manner and who hath paid the Rent for the Same & to whom We do by the Oaths of m.^r Stephen Gough, John Cæcill Abraham Combes, Jn^o Brown Robert Cooper, John Davies,

Michael Thompson, Michael Rylye Rob^t Beard W.^m Cole John Nevitt & W.^m Thompson who being already Sworn Say as ffollo.^o viz.^t Liber C D

And first the Said Jurors on their Oaths Say that the s.^d William Evans was in his life time and at the time of his Death Seized of and in one parcell of Land Lying on the East Side of S.^t Clements bay Beginning at a marked oake Standing at the head of a branch Called Thompson's branch & bounding on the west with a line drawn north west and by north for the Length of thirty pches to an Oake Standing upon the Side of a branch Called Evans's Branch on the north with a line drawn East north East along the s.^d branch unto the hills for the Length of five hundred perches untill it Intersect a paralell line drawn from the Land of the s.^d William Evans formerly laid out for William Thompson de^{cd} and on the South and East with the Said Land and paralell Containing one hundred acres be it more or Less holden of the manno.^r of West S.^t Marys in free and Common Soccage by fealty only for all Services yeilding and paying therefore yearly unto his Said Lordship the Summe of two Shillings in money Sterling or the value thereof in Such Commodities as his Said Lordship and his heirs Collecto.^{rs} Shall accept in discharge thereof as Relation being had unto the Patent hereof bearing date the Eighth day of November Anno 1652 may more at Large appear

p. 231
(fol. 283)

And the Jurors aforesaid do upon their Oaths further Say that the Said William Evans dyed Seized of a parcell of Land Lying on the East Side of S.^t Clements bay in Potomock River bounding on the west with a Creek of the S.^d Bay Called Thompson's Creek by a line drawn north East and by north into the woods over the hill from a marked oake at the head of a ffresh for the Length of one hundred and twenty pches to a marked oake Standing upon y.^e hills on the East w.th the S.^d Hills on the South with a fresh Run Called S.^t Andrews fresh Containing and now Laid out for Two hundred & fifty acres be it more or Less Holden of the manno.^r of Little Brittain in free and Common Soccage by fealty only for all Services Yeilding and paying therefore yearly unto his S.^d Lordship the Summe of five Shillings in money Sterling or Two Bushells and one half of Good Corn at the Nativity of our Lord as Relation had to the Patent hereof may more at Large appear w.^{ch} Land the S.^d William Evans held by assignment from Robert Brooke of Calvert Co.^{ty} in Putuxent River in the province of Maryland Gent who for a valuable Consideration in hand paid by the Said William Evans did fully Clearly and absolutely Give Grant Bargain Sell alien Esfeoff and Confirm unto the Said William Evans his heirs & assigns for Ever all that parcell or tract of Land in this Article before Expressed as Relation had to the assignm.^t from the Said Brooke bearing date the thirteenth day of Septemb.^r Anno 1677 may more at Large appear which S.^d Brooke Claimed the Same by assignm.^t of a Patent (fol. 284)

Liber CD from Thompson bearing date the Eighth day of June Anno 1649 of what manno^r held and at what Rent the bounds menconed in the Said Patent is before in this Article Exprest

And the Jurors afores.^d do further upon their Oaths Say that the Said Coll.^o William Evans dyed Seized of Land as his own Patent being of five hundred and fifty acres Called Evans's ffreehold Lying on the East Side of S.^t Clements bay Beginning at a marked oake Standing near to a branch Called Evans's Branch bounding on the west with the Said bay to a marked Guñ Standing on a branch adjoining to the land formerly laid out for John Shercliff on the north with the Said Land and a line drawn East north East from the Said Guñ for the length of five hundred pches to a bounded Oake Standing in the Woods from thence by a line drawn north northwest fifty pches to a Bounded oake bounded on the north by a line drawn East north East from the End of the Said north West line through Coxes for the length of one hundred and fifty pches to a bounded oake on the East by a line drawn South South East from the End of the former line for the Length of three hundred and twenty pches to a bounded oake on the South by a line drawn West South west from the Said Oake for the Length of one hundred and fifty perches to a Bounded oake that Intersects a paralell line drawn north north West to the Exterior bounded Tree of one hundred acres of Land formerly laid out for the Said Coll.^o William Evans on the South with the Said Land to the first marked oake at Evans's branch afores.^d Containing and Laid out for five hundred and fifty acres more or less holden of the manno.^r of Calvert in free and Common Socceage by ffealty only for all manner of Services Yeilding and paying therefore yearly unto his Said Lordship by Even and Equall portions the Summe of Eleven Shillings Sterling in Silver or Gold as Relation had unto the Said Patent bearing date the Seventeenth day of Aprill Anno Domini 1676 may more at large appear And the Jurors do further upon their Oaths Say That the said Coll.^o William Evans dyed So Seized and possessed of the Said Severall Tracts & parcells of Land haveing before his death made his last Will & Testam.^t in writinge and therein devised the Said Lands by will bearing date the tenth day of ffebruary Annoq; Domini 1667 as is here Expressed viz.^t I Give and bequeath unto my Dear & Loveing wife Elizabeth Evans all my Lands Goods and Chattels and whatsoever else that doth belong & appertain unto my Estate or of Right ought to belong or appertain thereto And the Jurors do Say that the Said William Evans deceased in march Anno Domini 1669 And the Juro^{rs} afores.^d do upon their oaths further Say that Elizabeth Evans Entered into the Land & held the Same dureing her widowhood and after to witt in the month of may Anno Domini 1669 She Inter-married w.th Cap^t Jn.^o Jordain and they the Said John & Elizabeth in

p. 232
(fol. 284)

(fol. 285)

Right of Elizabeth his wife held the Same untill the Death of the Said John Jourdain w.^{ch} was about the Eighth of September Anno Domini 1678 And the Jurors do further Say that from the time the Said Elizabeth Entered into the premisses & held the Same durement her widowhood & after to witt the Twenty Eighth day of October Anno 1678 She Intermarried with m.^r Cuthbert Scott w.^{ch} Said Cuthbert and Elizabeth held and Enjoyed the Same in Right of Elizabeth and being So in possession thereof and being informed and advised that the last will & Testam.^t of the Said Coll.^o William Evans in Some part thereof is defective and that for want of the words to her and her heir for Ever proves only an Estate for life the words heirs & assigns for Ever being not Inserted in the Said Will as they Should have been to have made an Estate of Inheritance to his wife w.^{ch} the Said Juro.^{rs} do verily believe was his Intention they the Said Cuthbert Scott & Elizabeth his wife by their Deed bearing date the Eighteenth day of Aprill Annoq; Domini 1679 for and in Consideration of the Summ of thirty thousand pounds of Tobacco in hand paid to them the Said Cuthbert & Elizabeth by the Right Hon.^{ble} Charles Lord Baltimore did fully Clearly and absolutely Give Grant alien Bargain Sell & Confirm unto the Said Lord Baltimore his heirs and assigns for Ever all those pieces and parcells of Land herein these presents before Expressed and that by virtue thereof his Lordship became Seized of the S^d Lands and premisses durement the life of the Said Elizabeth Scott by Virtue of the Said Deed from the Said Scott and his wife

p. 233
(fol. 285)

And the Jurors afores.^d do further Say that the Lands & Tenem.^{ts} are of value by the year in all issues the Sum of Sixteen hundred pounds of Tobacco & that they find no heir and that Cap.^t John Jourdain & m.^r Cuthbert Scott hath for the most part Occupied the S^d Lands & Tenem.^{ts} from the time of the Death of the Said William Evans and the issue & profits thereof hath received and his Lordship's Rent for the Same hath paid And that the Said Cuthbert Scott and Elizabeth his wife doth now Enjoy the Same as Tennants to my Lord Baltimore afs.^d In Testimony whereof as well the Said Commission.^{rs} as the Juro.^{rs} aforesaid have hereunto Set their hands and affixed their Seals the day and year first above Written

(fol. 286)

Clement Hill sealed }
Rich.^d Gardner sealed } Commission.^{rs}

Stephen Goughsealed	Michael Thompsonsealed
John Cæcillsealed	Michael Ryleysealed
Abraham Combesealed	Robert Beardsealed
John Brownsealed	William Colesealed
Robert Coopersealed	John Nevittsealed
John Daviessealed	William Thompsonsealed

Liber CD Which being Read and heard it is the Judgem.^t of the Court here this day to witt the fourth day of June in the fourth year of the Dominion of Charles Lord Baltemore &c^a Annoq̄ Domini 1679 the the Lands and premisses in the aforegoing Inquisition mencōned be and Remain in his Lordships Right untill an heir to the Same Shall appear to Claim Right thereunto

Nic. Painter Clk Cur Prov^{alis}

Charles absolute Lord and Prop.^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To the Sheriff of Dorchester Co^{ty} Greeting We Command you that in all places within yo.^r Bailiwick as well within Libertys as without where you Shall think most fitt you do on our behalf Cause publick Proclamation to made that Benjamin Granger under pain of his obedience do psonally appear before us in our Court of Chancery wheresoever it Shall then be wthout delay & notwithstanding if in the meantime you Can find him the S.^d Benjamin that you attach him So that you have him before us in our Said Court at the day afores.^d to answer to us as well touching a Certain Contempt by the Said Benj.^a ag.^t us Committed as it is alledged as to Such other things as Shall be then & there objected against him & further to do & receive what what our S.^d Court Shall Consider of in this behalf and this you may in no wise Omitt & have you there this Writt Wittness our Self at our City of S.^t Maries the thirteenth day of August the fourth year of our Dominion over our Said province Annoq̄ Domini 1679

Carvile

p. 234
(fol. 286) On the Back Side of the above writt was thus Written By the Court At the Suit of John Haslewood & his wife Ex.^{rs} of John Avery for breach of a decree

By Virtue of the within precept to me directed I have made publick proclamation as within I am Commanded & Benjamin Granger is not to be found within my Bailiwick Stephen Gary Sheriff

(fol. 287) Marke Cordea Replevin ad vic Com S.^t Maries ag.^t Richard Atwood for one bright bay horse Colt marked with a Starr on her forehead & M: C: on the near Buttock dat 1.st Sept ret 7.th Oct p &

Came Garrett Vansweringen Gent who undertooke for Marke Cordea in the Summe of Two thousand pounds of Tobacco that he the s.^d marke Cordea Should prosecute his Replevin ag.^t Richard Atwood for his unjust detayning one bright bay horse Colt of the S.^d Marke Cordea as it is Said and to make Restitution to the Said Atwood if to him Shall be adjudged with damages

Charles absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To William Stevens Esq of

Sommersett County Greeting Whereas we have by a Commission under our hand and the Great Seale of our Said Province of Maryland Commissionated John White Gent to be our Sheriff of our S^d County of Sommersett dureing our pleasure We do therefore hereby Will & require you to administer the Oath of Sheriff of our S^d County unto the Said John White according to the form hereunto annexed Wittness our Self at our City of S.^t Maries the third day of September in the fourth year of our Dominion &c^a Annoq̃ Domini one thousand Six hundred Seventy nine

Liber C D

Charles &c To John Penrey and Thomas Penrey Greeting Whereas Robert Mason of S.^t Marys Co.^{ty} merch.^t hath lately Exhibited his Bill of Comp.^{it} before us in our Court of Chan.^{ry} against you John & Thomas to be Relieved for the matters therein Contained and that he may Examine his Wittnesses in perpetual memory and that nothing may happen thereby to your prejudices We Command & firmly Enjoyn you that all Excuses being Set aside you be & psonally appear before us in our Court of Chan.^{ry} w.^{thout} delay wheresoever it Shall then be to Answer unto Such things as Shall be then & there objected ag.^t you by the Said Robert Mason, and also (if to you it Shall Seem meet) that the Said Wittnesses or others on your behalf may be there likewise Examined if you will or that you Shew or Cause to be Showed then & there before our Chancello.^r of our S.^d Court Sufficient Cause why the Said Wittnesses may not be Examined on the part of the S.^d Robert and afterwards their Examinacions accordoing to the Order and Course of our Said Court may not be published that our Said Court hearing the Cause may do therein what Shall to Justice appertain And further to do & Receive what our Said Court Shall Consider of in this behalf And this you may in no wise Omitt and have you there this Writt Wittness our Self at our City of S.^t Marys the Eighth day of September in the fourth year of our Dominion &c^a Annoq̃ Dom 1679

Richard James of Baltemore Co.^{ty} in Maryland do Give & bequeath unto or my Master m.^r John Browning a parcell of Land Called Jones's Adventure Containing Two hund.^d acres if my Brother William Jones will not Come into this Country to Settle then my S.^d master to have it as Wittness my hand & Seale this 12.th of ffeb: 1669

(fol. 288)

Richard James sealed

Signum

Test W.^m Orchard, Peter P I Jones

July 29.th 1679

Let a writt of Mandamus issue out of the office touching the two hundred acres above Specified and that it be delivered unto the bearer m.^r John Browning

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(fol. 288)

C: Baltemore

To W.^m Calvert Esq̃ Sec.^{ry}
or to his Chief Clk

Liber C D July 28.th 1679

Mandamus then issued to Augustine Herman & James ffrishby of Cæcil County Gent that by the Oaths of twelve &c they diligently Enquire what Lands Richard James late of Cæcill County deēd dyed Seized of returnable without delay

p p^r Subp.^a to Edward Dorsey and Sarah his wife to hear Judgem.^t in a Cause of Equity depending betwixt them and Thomas Bland & Damoras his wife Comp.^{ts} dat 22.th Septemb.^r ret 7.th Oct.^r 1679.

KC Subp.^a Thomas Lomax Gerrard Sly Benjamin Mansfield ad Testificand p John Coode ats Humphrey Jones dat. 29.th September ret without delay

KC Subp.^a Vincent Mansfield & Sarah Blackiston ad Testificand: p John Coode Humphrey Jones dat 4.th Octob.^r ret without delay

RR. Subp.^a James Mills Ex.^r of Samuell Boston deēd to Answer a Bill in Court ats James Stavely and Henry Stockett adm.^{ts} of Nathaniell Stiles deēd dat 6.th Octob.^r ret 10.th of the Same Instant 1679

R: C Charles &c To the Sheriff of Saint Maries County Greeting We Command you that you attach the body of Thomas Penroy mariner if he Shall be found in your Bailiwick and him Safe keep So that you have his body before us in our Court of Chancery without delay wheresoever it Shall then be to Answer us as well touching a Certain Contempt by him the Said Thomas against us Committed as is alleadged as to other things as Shall be then and there objected against him by Robert Mason Complainant in our Said Court against the S^d Thomas Penroy and John Penroy defendants & this you may in no wise Omit and have you there this writt, Wittness our Self at our City of S^t Maries the thirtieth day of October in the fourth year of the Dominion over our Said Province of Maryland &c Annoq̄ Domini 1679

RC. Charles &c To Jonathan Sybrey of Cæcill County Gent Greeting Whereas John Browning of Cæcill County in the Province of Maryland Gentl hath Exhibited a Certain Bill before us in our Court of Chancery against George Oldfield of Cæcill County Gent Administrato.^r of all and Singular Rights and Credits w.^{ch} were of Peter Munse deēd & Andrew Peterson Son and heir of the s.^d Peter Munse deēd and Infant under the age of one and Twenty years by the Said George Oldfield his Guardian, And Where-

as we have lately by our Writt of Subp.^a Commanded them the Said George and Andrew that Should be before us in our Said Court of Chancery without delay to Answer the Said Bill and the Said Andrew being an Infant of Such tender years that he Cannot Travell to our Court afores.^d as we are Informed and we duely Considering the Same & Reposeing Great trust and Confidence in your fidelity Care and Circumspecōn do Give you full power and Authority diligently to Examine the Said George Oldfield and Andrew Peterson upon the matter of the Said Bill and therefore we Command you that at Such Certain day and place as to you Shall Seem meet that you Call the Said Andrew and George before you (having first Examined the Said Andrew if he do Elect and Chuse the Said George Oldfield to be his Guardian to Answer for him and the Said George So Chosen you admitt as Guardian to the Said Andrew) and them the Said George and Andrew upon the matter of the Bill aforesaid upon the Oath of the Said George before you to be taken upon the holy Evangelists of God you diligently Examine and the Answer of the Said George and Andrew by the Said George his Guardian you Receive and Reduce the Sume into writeing and when you have So done the Same you Send to us in our Court of Chancery without delay wheresoever it Shall then be Sealed up under your Scale and this writt Wittness our Self at our City of Saint Marys the nine and Twentieth day of October in the fourth year of our Dominion over our S^d Province of Maryland Annoq Domini one thousand Six hundred Seventy nine

Liber C D

p. 236
(fol. 289)

On the back Side of the aforegoing Comiōn was Written viz.^t The form of the Oath to be Administred to the defendant Oldfield You have Considered of this your Answer and for So much as Concerns yo^r own Act and Deed you do Swear to be true & what Concerns the Act & Deed of another you do believe to be true So help you God & the Contents of the Books

The Examination of this Commission appears by a Certain Answer hereunto Annexed.

RC Subp.^a Thomas Taylor Dor Co: ad Testificand: Garrett Vansweringen ats John Quigley dat. 28.th Octob.^r ret 10.th ffebruary 1679

RC Jonathan Sybrey attachm.^t ad vicend. Baltemore ag.^t Edward Pynn dat 1st November ret 10.th ffebruary next drawn as Masons & Penroy

RR Subp.^a Edward Pynn to Answer a Bill in Chancery ats Jonathan Sybrey dat 8.th Oct.^r ret 13.th of the Same Instant 1679

Liber C D Octob.^r 8.th 1679

Mandamus then issued to major William Coursey & m.^r William Bishop of Talbot Co.^{ty} Gen that by the Oaths of twelve &c they diligently Enquire what Lands Andreas Alena late of Talbot County deēd dyed Seized of Returnable without delay.

RC Charles &c To George Godfrey Greeting We Comānd you that Immediately upon Receipt of this our writt you pay unto Elizabeth Beck mother & Guardian of Elizabeth Beck Mary Beck and Margaret Beck infants or the bearer hereof the Summe of four thousand Six hundred fifty nine pounds of Tobacco Costs
(fol. 290) adjudged them the Said Eliz.^a mary & Margaret Beck by our Court of Chancery in a Cause there depending between the Said Elizabeth Mary and Margaret Beck Daughters & Coheires of Richard Beck deēd Infants by the S.^d Elizabeth their mother and Guardian Comp.^{lts} and you the Said George Godfrey defend.^t and hereof you are not to faile under the pain Ensueing Wittness our Self dat 24.th October 1679.

RC Charles &c To Thomas Bland Gent Greeting Where- as by an Order made before us in our Court of Chancery the Sixteenth day of Oct.^r Instant in a Cause there depending Between Joseph Tilly of Calvert County planter p.^l and George Parker Gent one of the Attorneys of our Said Court defend.^t made upon the Argueing the Demurrer put in by the defendant to the Comp.^{lts} Bill our Said Court upon the reading of the Said Comp.^{lts} Bill & the defend- ants Demurrer were fully Satisfied that there was So much Scandalous & Criminous matter Couched and Contained in the Same Bill of Complaint that the Same was not only not fitt to be Answered unto
p. 237
(fol. 290) by any person whatsoever.^r but also that it is not fit that any Scandalous Bill Replete with Such and So many Idle Scandalous and Criminous allegations & Suggestions of which if the Said Comp.^l would make discovery Should Remain amongst the Records of this Court against any pson whatsoever Especially against the defendant who is an attorney of this Court and who thereby is Charged with the breach of the Oath office and Duty of Attorney and with Practices against the Laws for Champtry & maintainance & fraudulent Conveyances, Do therefore order that the S.^d defendants Said Demurrer put into the Said Comp.^{lts} Bill be allowed and the Said Comp.^{lts} Said Bill not only Stand dismist, but that the Same be by the Register of this Court taken from off the files and Records of this Co.^{ty} for Ever and our Court Considering the Laudable Rules & practice of the high and Hon.^{ble} Court of Chancery in England that where any Bill Exhibited into the Court of Chancery doth Contain in it any ma[tter] Criminall or Scandalous against the Defendant or any other and if and Concern the defendant he may refuse to Answer it and the Comp.^l & his Councill whose hand is at the Bill may be punished

for it and the party Grieved may Recover Costs against Such Council and the Said defendants Attorneys praying Costs against m^r Thomas Bland one of the Attorneys of our Court whose hand is to the Said Bill and he being here present in Court and not denying but that he drew the Same and on behalf of the Said Clyent the Said Comp.^{1t} Standing in Justification of the premisses and allegations Scandalls & Crime afore Rehearsed this Court doth order that the Said Thomas Bland do pay unto the Said defend.^t the Costs of Suit for the allowing of the Demurrer and Dismission of the Comp.^{1ts} Bill accordingly We do therefor hereby Strictly Charge and Command you that upon the Receipt of this our writt you pay or Cause to be paid to the Said George Parker or to the bearer hereof the Summe of two thousand fifty and one pounds of Tobacco by our Said Court adjudged to the Said George Parker for Costs of Suit Expended in the Said Cause and hereof you are not to fail under the pain Ensueing, Wittness &^c 30.th of October 1679

Liber C D

RR Charles &c To the Hon.^{ble} Joseph Bridger of Nansemond in the Colony of Virginia Esq^r Greeting Know you that we have Given you power and authority any Wittnesses whatsoever upon Certain Interrogatories (as well on the part and behalf of Symon Irons Comp.^{1t} as on the part and behalf of Richard Royston defendant to you herewith Sent diligently to Examine and therefore We desire you that at Such Certain time and place as you Shall think fitt to appoint that you Call the Said Wittnesses before you and them and Every of them in & upon the Interrogatories af.^d upon their Corporall Oaths upon the Holy Evangelists of God before you you Carefully and fully Examine and the Same Examinations So taken before you that you Reduce into writeing and Return to us in our Chancery under your Seal without delay And that you Return to us the Said Interrogatories with the Said Examinations and this writt Close Sealed up; And for yo.^r proceedings herein this Shall be your warrant Wittness our Self at our City of S.^t Marys the fourth day of Novemb.^r in the fourth year of our Dominion over our Said Province of Maryland & in the year of our Lord God one thousand Six hundred Seventy nine. (fol. 291)

Charles &c To our trusty and welbeloved Vincent Lowe & Philemon Lloyd of our County of Talbot in our Province of Maryland Esq.^{rs} Greeting Know ye that we have Given ye power & Authority any Wittnesses w^{so}ever upon Certain Interrogatories (as well on y.^c p^t & behalf of Symon Irons Comp.^{1t} as on the p.^t & behalf of Richard Royston def.^t to you herewith Sent diligently to Examine and therefore we Comand you & Either of you that at Such Certain time & place as you Shall think fitt to appoint that you Call the S.^d Wittnesses before you & them & Every of them in & upon the

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(fol. 291)

Liber CD Interrogatories af.^d upon their Corporall Oaths upon y^e holy Evangelists of God before you, you Carefully and fully Examine and the Same Examina^ons So taken before you, that you Reduce into writing & Return to us in our Chancery under your Seal without delay and that you return to us the Said Interrogatories with the Said Examina^ons and this writt Close Sealed up and for y^e proceedings herein this Shall be your warrant Wittness our Self at our City of S.^t Maries &c dated the fourth of November 1679

At a Court of Chancery held at the City of S.^t Marys
the Sixteenth day of Octob.^r Annoq^{ue} Dom 1679 Between
Joseph Tilly of Calvert County planter Comp.^{lt} & George
Parker Gent one of the Attorneys of this Court defendant

Present	{	The Hon. ^{ble} Phillip Calvert Esq ^{ue} Chancello ^r	}	Councello. ^{rs}
		The Hon. ^{ble} W ^m Calvert Esq ^{ue} Secretary		
		The Hon. ^{ble} Vincent Lowe Esq ^{ue} Surv ^r Gen. ^{ll}		
		The Hon. ^{ble} Coll. ^o William Stevens Esq ^{ue}		

(fol. 292) This Cause Standing upon a Demurrer Ready for hearing this day upon the hearing and debateing thereof Between the Said parties in the presence of the Attorneys on both Sides the Scope of the Comp.^{lts} Bill being Principally to have the Redemption of Certain Lands Good Chattells Servants Cattle and other houshold Stuff late belonging to the Said Complain.^t and by him Sold Conveyed Settled and assured to and upon the Said Defend.^t and in the Bill particularly men^oned or that the Said defendant may allow to the Complainant Consideration for the S.^d Lands & Goods and Chattells according to the true value thereof and to have the def.^t come to a Just and true account for Such disburse^{ts} Expences Sum^e or Summs of Tobacco the Said defendant had laid out paid & Expended for the Comp.^{lt} And what the defend.^t had Received of the S.^d Comp.^{lt} in Satisfaction of Such account & to discover the S.^d Consideration of the Severall Deeds Bills of Sales & Mortgages the Bills particularly mentioned And on paym.^t of what is really due to the defend.^t the Said Defend.^t may be decreed to Reconvey the S.^d Lands & premisses to the Comp.^{lt} and may Redeliver to him all the Goods Cattle, Servants Pewter plate houshold Stuffs and other personall Estate y^{rein} men^oned or might allow the Comp.^{lt} consideration therefore according to the true value and that the Said Severall a^ons at Law brought by the defendant ag.^t the Said Comp.^{lt} in Replevin for the S.^d Goods and Chattells, and in Ejectm.^t for the Lands in question may be Stayed by the Injun^oon of this Court to the w.^{ch} Bill of the Said Comp.^{lts} the Said Defend.^t did Demurr in Law and for Cause of Demurrer Sayth That the

Said Bill Exhibited into this Court Contained in it So much Scandalous & Criminous matter ag.^t the office Oath and duty of an Attorney & in breach of Severall penall Statutes as the Statute of Champty & Maintainance and against the Act of Assembly made for making void and punishing all fraudulent practices tending the defrauding of Reall purchase.^{rs} and Creditors and the Same was maliciously Contrived prosecuted and Commenced on Set purpose by the Comp.^{lt} as much as in him lay to bring the defend.^t to disgrace and disfavour with his Lordship the Lord Prop^{ry} of this Province and with the Justices of this high and Hon.^{ble} Court and the Justices of the Provinciaall Court where this defend.^t is a Practicon.^r and where this Defend.^t is punishable for all misdemeano.^{rs} and Crimes by him Comitted ag.^t the Duty and oath of an Attorney as also to bring the Said George into hatred Scandall Reproach Evil fame Opinion Infamy displeasure and distrust amongst his Clyents and other the Good people of this Province by Chargeing this defend.^t in Severall places of the S^d Bill with promisses to defend the p.^{lt} and preserve his Estate from his Creditors without putting the p.^{lt} to any Charge at all & Chargeing him with absolute knavery Contrary to his Oath, That after he had been Retained as Attorney for him in all Causes whatsoever as by Bill is pretended he Encouraged & animated the Said Comp.^{lts} Adversarys & Cred.^{rs} to sue the Said Comp.^{lt} and yet took fees of the Comp.^{lt} So Scandalously Charged him with dealing on both Sides, as also Chargeing him w.th fraudulent practices in making the Said Severall Deeds and mortgages in the Bill mençoned in his the Said defend.^{ts} name but in trust for the Comp.^{lt} to Save the Same from the Judgm.^{ts} and Executions of his Creditors & Endeavouring by his Bill to Enforce this def.^t by his Answer upon Oath to discover & Set forth the Said Supposed frauds & Practices and also to make himself his own Accuser and to bring him under the breach of the penalties of the Said Statutes & other punishments afores.^d w.^{ch} (if they were true) the defend.^t could not by Law or Equity be Compellable to discover the Same and betray himself So that he the Said defendant was advised that this defendant ought not to Answer the Said Bill till the Said Criminous and Scandalous matter aforesaid be Expunged out of the Said Bill as was usually done in Such Cases in this Hon.^{ble} Court and therefore and for the other apparent insufficiencies in the Said Bill of Comp.^{lt} the S.^d defendant did Demurr in Law & demanded Judgem.^t whether he Should make any further Answer unto the Said Bill of Comp.^{lt} and prayed to be hence dismiss with his Costs and Charges in that behalf wrongfully had and Sustained This Court thereupon and upon Reading of the Said Bill and Demurrer was fully Satisfied that there was So much Scandalous and Criminous matter Couched & Contained in the Same Bill of Comp.^{lt} that the Same was not onely not fit to be Answered unto by any

Liber C D

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(fol. 292)

(fol. 293)

Liber C D person whatsoever But also that it is not fit that any Such Scandalous Bill Repleate with Such and So many Idle Scandalous & Criminous allegations & Suggestions of w.^{ch} the S.^d Comp.^{te} would make a discovery Should Remain amongst the Records of this Court ag.^t any pson whatsoever Especially against the Said defend.^t who is an Attorney of this Court and who thereby is Charged with the breach of the Oath office and Duty of an Att.^{ey} & w.th practices ag.^t the Laws for Champy and Mainteynance & fraudulent Conveyances Do therefore Order that the Said Defend.^{ts} Said Demurrer put into y.^e Said Comp.^{ts} Bill be allowed and the Said Comp.^{ts} Said Bill not only to Stand dismist but that the Same be by the Register of this Court taken from off the files & Records of this Court for Ever, And this Court Considering the Laudable Rules and practice of the high and Hon.^{ble} Court of Chancery in England that where any Bill Exhibited into the Court of Chancery doth Contain in it any matter Criminal or Scandalous against the deft or any other and if it do and Concern the def.^t he may refuse to Answer it and the Comp.^{te} and his Councell whose hand is to the Bill may be punished for it and the party Grieved may Recover Costs against Such Councell and the Said defend.^{ts} Attorneys praying Costs against m.^r Thomas Bland one of the Attorneys of this Court whose hand is to the Said Bill & he being here present in Court and not denying but that he drew the Same and on the behalf of his S.^d Clyent the S.^d Comp.^{te} Standing in Justification of the premisses and allegaçons Scandall & Crimes afore Rehearsed, This Court doth order that the Said Thomas Bland do pay unto the Said Defend.^t the Costs of Suit for the allowing of the Said Demurrer and Dismission of the Comp.^{ts} Bill accordingly

(fol. 294)

Inquisition in fol 250

Charles &c To John Stone & William Barton of Charles County Gent Greeting Whereas we formerly Commanded you to Enquire by the Oaths of twelve Good and Lawfull men of the neighbourhood by whom the truth of the matter might the better be known w.^{ch} were the true bounds of a parcell of Land Called Rotterdam lying in Charles Co^{ty} at a place Called Nanjemy that Richard Edelen the Deputy Surv.^r might truely lay out the Same, The Said Land being in our actual Legall possession by virtue of an office found the thirteenth day of December in the fortieth year of the Dominion of Cæcilius our dear father of noble memory & adjudged to us in our Prov.^l Court the Eighth day of June one thousand Six hundred Seventy Six as appeareth upon Record in our Secretarys office, And Whereas you did upon the Eighteenth day of September in the fourth year of our Dominion & Impannell twelve men of the Said Neighbourhood to Enquire as afores.^d who directed the Said Edelen to Begin his Survey at a Bounded Spanish oake Standing in a forke

at the head of Chandlers marsh & Running thence north East and by East one hundred Sixty and five pches to a bounded Red Oake Standing in the Woods thence East five hundred perches to a Red oake Standing on the north Side of Goose Creek thence Running South west and by West from the end of the East line one hundred Sixty and five perches untill it Intersects a paralell line drawn from the Said Chandlers Land according to the Originall Certificate of Survey of the Said Land Called Rotterdam Remaining upon Record in our Said Secretarys office, But by Reason John Ocane one of the Jurors af.^d refused to Set his hand to the Said Inquisition w.th the rest of the Jurors because as he Said he was Informed by Symon Overzee in his lifetime that the bound Tree of Rotterdam did Stand in that branch w.^{ch} is above one third Short of the line of the Said "Land shutt in" the face of the Record for Land in our S.^d Secretary's office w.^{ch} Says the Said Land is to be Runn East five hund.^d perches from the Red oake Standing in the woods to which Oake the S.^d Ocane agreed with the Rest of the Jurors the S.^d Inquisition Could not be perfected and Returned under your hands and Seals & the hands & Seales of those by whom you did Enquire, We therefore Command you as otherwise we have Commanded you that by the Oaths of twelve other Good and Lawfull men of the neighbourhood you Cause the Said Edelen and Cap.^t Randall Brent or either of them to be directed to Begin his or their Survey of the Said Land Called Rotterdam at the Bounded Spanish oake Standing in a forke at the head of Chandlers marsh and to prosecute his or their Survey of the Said Land Called Rotterdam according to the Originall Survey made by Robert Clarke late Surveyo.^r Generall of this our Province & Remaining upon Record as aforesaid and Contained in our Grant of the Said Land to Robert Doyne Gent and the Same So Surveyed by yo^r precept to the Sheriff of Charles County afores.^d to be directed you Cause to be delivered to the S.^d Doyne as being Land actually in our Legall possession by Virtue of the office aforesaid, And the Same Inquisition So made that you make Return thereof to us in our Court of Chancery without delay under your hands and Seales and the hands and Seales of those by whom you shall make Such Enquiry Together with this writt Wittness &c dated 15.th Nov^r 1679

Liber C D

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Inquisition of John Vennall's Land

By virtue of a writt of Enquiry out of the high Court of Chancery by the Right Hon.^{ble} Charles absolute Lord and Proprietary of the Province of Maryland directed to Richard Hill and Thomas Bland of the County of Ann Arundell Gent Commanding us that by the Oaths of twelve Good and Lawfull men of the County afores.^d to Inquire what Lands John Vennall of the County afores.^d Deceased dyed Seized of at the time of his Death and of fee in the County

Liber C D afores.^d and of what manno.^r and under what Rents and Services and how much those Lands and Tenem.^{ts} are of value by the year in all issues and at what time the Said John Vennall dyed and who is his next heir and what age the heir is and who those Lands & Tenem.^{ts} from the time of the Death of the Said John Vennall hath or doth Occupy and the issues and profits hath or doth Receive & by what title and how and in what manner and who hath paid Rent for the Same & to whom and the Inquisition thereof distinctly and openly made in the high Court of Chancery under our hands and Seals and under the hands and Seales of those by whom it Shall be made without delay we Send and the Said writt.

In Obedience to which we Richard Hill and Thomas Bland did by Lancelot Todd Constables Summons twelve Good and Lawfull men of the County afores.^d who did appear before us at the house of Richard Rawlins in the County aforesaid upon the twelfth day of this Instant month of Aprill 1679 viz^t Henry Parepoint, Henry Ridgely Amos Parepoint, Jabez Parepoint, William Ridgely, John Barker, John Geather, Nicholas Sheppard, Peter Bond, Richard Warfield, James Greniffe and Adam Shipley who upon their Oaths Say that the S.^d John Vennall dyed Seized in of fee fifty acres of Land in the Co^{ty} of Ann Arundell aforesaid and held of the manno.^r of Ann Arundell by fealty under the Rent of two Shiillings Sterling in Silver or Gold by the year as appears by Patent and is of the value of four hundred pounds of Tobacco by the year and that the Said John Vennall dyed about four years Since and that he dyed without issue and hath no heir that appears and that the fifty acres of Land ever Since the Said Vennall's Death and now is in the possession of Richard Rawlins, & that the S.^d Richard Rawlins the issues and profits thereof hath ever Since the Death of the Said Vennall Received and the Said Rawlins possessed the Same by virtue of being Administrato^r to the Said Vennall & that the Said Rawlins hath paid the Rents of the Said Land to his Lordship's Receiver of the County of Ann Arundell

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(fol. 296)

Richard Hill sealed
Thomas Bland sealed

James Greeniffe	sealed	Henry Ridgely	sealed
John Barker	sealed	Peter Bond	sealed
John Gathur	sealed	Henry Pierpoint	sealed
Adam Shipley	sealed	W. ^m Ridgely	sealed
Jabez Peirpoint	sealed	Nich ^o Sheppard	sealed
Rich. ^d Warfield	sealed	Amos Peirpoint	sealed

Which being Read and heard it is the Opinion of the Court here this day to witt the Eighth day of October in the fourth year of the Dominion of Charles Lord Baltemore &c Annoq Domini one thou-

sand Six hundred Seventy nine that the aforegoing Lands and Liber CD premisses are Escheated for want of heir

Nic: Painter Ct Cur Prov.^{alls}

W.^m Heards Sen^r Inquisition

An Inquisition Indented and taken at Pickawaxen in Charles County this Sixteenth day of July in the fourth year of the Dominion of the R.^t Hon.^{ble} Charles absolute Lord and Prop.^{ry} of the Provinces of Maryland & Avalon Lord Baron of Baltimore &c and in the year of our Lord one thousand Six hundred Seventy and nine before Henry Adams and Ignatius Caussen Gentl.ⁿ By virtue of a Commission in the nature of a writt of mandamus to them directed and to this Inquisition annexed to Enquire after the Death of William Heard late of Charles County deceased by the Oaths of Henry Bonner, William Hinsey, John Harvey Thomas Gibson Robert Inglesby, William Ward, Thomas Craxstone Arthur Turner, Edmund Dennis, Thomas Wakefield, George Newman & Joseph Bullett w.^{ch} Jurors upon their Oaths Says that the S^d Willm Heard dyed Seized of at the time of his Death as of ffee in the County of Charles upon the day of w.^{ch} he dyed (viz) the fourth day of January one thousand Six hundred Sixty four of one thousand acres of Land Lying Scituate & being at the head of Portobacco Creek in the County of Charles County Commonly known and Called by the name of Beech neck though not Patented in the life time of the S.^d William Heard, but by assignments of Severall warrants from Humphrey Warren late of this County defed to the Said William Heard in his life time doth appear to us to Remain upon Record in the Secretarys office of this Province for the Said one thousand acres of Land as by Patent Granted unto Coll.^o John Douglas late of this County deceased the Ex^r of Bridgett Heard the Relict of the Said William Heard for the use of the Legatees exprest in the will of the Said Bridgett, By the R.^t Hon.^{ble} the Lord Prop.^{ry} of Maryland according to his Grant under the broad Seale of this Province bearing date the two and twentieth day of September in the four and Thirtieth year of the Dominion of the Right Hon.^{ble} Cæcilius of happy memory and in the year of our Lord one thousand Six hundred Sixty and five as by the Said Grant Recourse being thereunto had it doth & may more at Large appear To be holden of his Lordship's manno.^r of Zachiah in free and Common Soccage by ffalty only for all manner of Services Yeilding and paying therefore yearly at the two most usuall feasts in the year viz.^t at the feast of the Annunciation of the Blessed Virgin Mary & at the feast of S.^t Michael the Archangell by Even & Equall portions the Rent of Twenty Shillings Sterling in Silver or Gold And we the Said Jurors Say that the Said one thousand acres of Land in all profits and issues thereof is worth five hundred pounds of Tobacco p annum

(fol. 297)

Liber C D and further we the Said Jurors Say that the ^{s^d} one thousand acres
 p. 243 of Land hath been Occupied and possessed by the Said John Douglas
 (fol. 297) by virtue of the aforesaid Grant as Executo^r of Bridgett Heard for
 the use of the Legattees men^coned in the will of the ^{s^d} Bridgett
 Heard & that the Said John Douglas hath Received the profits &
 issues thereof untill about November last past, and hath paid his
 Lordships Rents for the Said one thousand acres of Land untill that
 time and Since, thence and now the Said one thousand acres of Land
 is in the possession of the Hon.^{ble} Coll.^o Benjamin Rozer, But by
 what means we the Jurors aforesaid are altogether Ignorant And
 further we the Said Jurors Say that John Douglas Jun.^r the Son
 of the af.^d John Douglas deceased is the Sole Surviveing Legatee
 of the S.^d Bridgett Heard according to the best information we can
 gett, therefore we the Said Jurors do find that the Said John Douglas
 is the true and Lawfull heir to the Said one thousand acres of Land
 no other Legatee appearing to us to be Liveing and that the Said
 John Douglas is fifteen years of age, And We the Jurors afores.^d
 (fol. 298) further Say that we find not William Heard afores.^d possessed within
 his life any more Lands, In Testimony whereof as well the Com-
 mission.^{rs} as the Jurors as aforesaid to these p^rsent Indentures have
 Set their hands and Seals the day and year first above Written

William [sic] Adames (sealed)

Ignatius Causeene sealed

Henry Bonnersealed	Thomas Craxtonsealed
Will ^m Hinseysealed	Arthur Turnersealed
John Harveysealed	Edw. ^d Dennissealed
Thomas Gibsonsealed	Tho ^s Wakefieldsealed
Robert Inglesbysealed	George Newmansealed
William Wardsealed	Joseph Bullettsealed

Which being Read and heard It is Ordered by the Court here
 this day (to witt) the Eighth day of Octob.^r in the fourth year of
 the Dominion of Charles Lord Baltemore &c Annoqⁱ Domini one
 thousand Six hundred Seventy nine, That a melius Inquirendum issue
 better to Enquire concerning the Land in the aforegoing Inquisition
 men^coned

Nicho: Painter Ct Cur Provincialis

James Lindsey Inquisition of Land Called Green Spring

An Inquisition taken before us Henry Adams and Ignatius
 Causeen of Charles County in the Province of Maryland Gent at
 the house of m.^r William Chandler at the head of Portobacco Creek
 this Twenty Sixth day of June Anno Domini 1679 By virtue of a
 Commission in the nature of a writt of mandamus to us directed
 bearing date the fifteenth day of march Anno 1678 and to this

Inquisition Annexed thereby Commanding & Impowering us by the Oaths of twelve Good and Lawfull men of the s.^d County diligently to Enquire concerning a parcell of Land Lying in the County afores.^d Containing by Estimation Six hundred acres Called Green Spring and lately in possession of James Lindsay deceased In Obedience and order thereunto We the S.^d Henry Adams & Ignatius Causin, have Commanded before us, majo.^r John Wheeler, Phillip Hoskins, Garrett Sinnott, Edward Price, James Wheeler, John Clarke, Michael Aythforth, James Smallwood, Michael minoke, Marke Lampton, Ralph Shaw and John Goarly, twelve Good and Lawfull men of the Said County w.^{ch} Said Jurors upon their Oaths Say that James Lindsey Jun.^r in the month of December in the year of our Lord 1676 was Seized in his Demeasne as of ffee of the Said Six hundred acres of Land Lying in the Woods on the West Side of Portobacco ats S.^t Thomas Creek and Lyeth within his Lordship's manno.^r of Pangayah and the s.^d James Lindsey in the month and year aforesaid dyed, w.^{ch} Land was at the yearly Rent of thirty Bushells of Good Shell'd Indian Corne payable at the feast of the nativity of our Lord in Every Respective year and also doing Suit and Service at his Lordships Court of S^d manno.^r of Pangayah, if the Said Court Should be So often held, and upon default to pay Six Bushells of Shell'd Corne, And further that the S.^d James Lindsey left no heir behind him at the time of his Death that can lay Claim to the Said Land, and for that the Said Land was never Occupied, And the Said Jurors not being well acquainted with the Said Land Cannot Set any value upon it and Cannot find that Ever any Rent was paid Since the Patent Granted for the s.^d Land, to w.^{ch} we the Said Henry Adams & Ignatius Causin, with the Jurors aforenamed have hereto Set.our hands and Seale the day and year first above written

Henry Adams sealed
Ignatius Causin sealed

John Wheelersealed	mich. ^{ll} Ayshforthsealed
Phillip Hopkinssealed	James Smallwoodsealed
Garrett Sinnottsealed	Michael Minocksealed
Edward Pricesealed	Marke Lamptonsealed
James Wheelersealed	Ralph Shawsealed
John Clarkesealed	John Goarlysealed

Which being Read & heard it is the opinion of the Court here this day to witt the Eighth day of October in the fourth year of the Dominion of of Charles Lord Baltemore &c Annoꝝ Domini one thousand Six hundred Seventy nine that the Land menconed in the aforegoing Inquisition is Escheated unto his Lordship for want of heir & for nonpayment of the Rent in & by his Lordship's Letters Patent Reserved

Nic: Painter Ct Cur Provincialis

Liber CD

(fol. 299)

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(fol. 299)

Liber C D
(fol. 300) Inquisition of William Drury's Land

Whereas we Whose names are hereunto Subscribed being of a Jury by virtue of a Comission from the Hon.^{ble} Chancello.^r directed to m.^r William Hopkins & m.^r Mathew Howard of Ann Arundell County Gent being Sworn this fourth day of July Annoꝝ Domini one thousand Six hundred Seventy nine to make Inquiry into the Lands of William Drury &^c late of this Co.^{ty} deſe'd according to the Tenor of the Said Writt

Forasmuch as William Drury late of this County of Ann Arundell who deceased the Eight and Twentieth day of August Annoꝝ Domini one thousand Six hundred Seventy Six haveing to wife in his life time Christian Merikein, who had as by her Right as by Patent fifty acres of Land Lying in the afores.^d County which Land the S.^d Drury lived upon and possessed in time of his and his afores.^d wife's life who dyed Some years before the Said William Drury, Now upon Strict and Diligent Enquiry into the premisses afores.^d We do find that the afores.^d William Drury possessed no other Lands in any part of the aforesaid County but the before menſioned fifty acres of Land, By Patent to Xtian Merikein & her heirs Relict of John Merikein late of this County deceased wherefore the S.^d Drury had no other Right and title to the Said Land but by the marriage of the Said Xtian Merikeine who hath to her heir hugh Merikein her Son born of her Body being of three and twenty years of age of the s.^d Co^{ty} in whom by our Inquisition we do find the Right of the Inheritance of the aforesaid fifty acres of Land doth pply lay and belong w.^{ch} the Said William Drury dyed in possession of w.^{ch} Said Land there hath been no Improvem.^t made of Since the Death of the s.^d Drury and that the yearly Rents of the Said fifty acres of Land hath been paid by James Rigby of Ann Arundell County Ex.^r of the s.^d Drury deceased and Guardian to the heir of the Said Drury named Xtian Drury begotten and born of the body of the s.^d Xtian Merikein als Drury Relict of John Merrikin deceased & mother of the Said Hugh Merikin w.^{ch} Said Orphant of William Drury named Xtian dyed in her minority, And we do also find upon our diligent Enquiry of the Condition of the Said Land to be very mean of it Self naturally besides the Long Continuall use of the Same for more then Twenty years, The best of it to be Cleared & wasted & the timber destroyed no Care being taken for the Improvem.^t thereof Whereon is two Tobacco Houses and one old Dwelling house and Small hogg house w.^{ch} are very much decayed & out of Repair and also the fences to be of no value, and a Small quantity of apple Trees w.^{ch} lay open So that by reason of the mean & poor Condition of the p^rmisses we Cannot value it to better worth with all the premisses & profits thereof than one hundred and fifty

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(fol. 300)

(fol. 301)

pounds of Tobacco p year In Wittness whereof we have hereunto Liber C D
Set our hands and Seales the day & year above written

William Hopkins (sealed)

Mathew Howard (sealed)

John Beamon (sealed) Ric: Bayly (sealed)

Nich^s Greenbery (sealed) James Smith (sealed)

Tho.^s Bucknall (sealed) W.^m Hawkins (sealed)

Theo Hackett (sealed) Stephen Burle (sealed)

Christop.^r Randall (sealed) James Orrack (sealed)

Humphrey Boone (sealed) Thomas Tucker (sealed)

Which being read and heard It is Ordered by the Court here this
day to witt the Eighth day of October in the fourth year of the
Dominion of the R.^t Hon.^{ble} Charles Lord Baltemore &c Annoq
Domini one thousand Six hundred Seventy nine that James Rigby
of Ann Arundell County be Summoned to appear here to Shew
Cause (if any he have) why his Lordship's Justices Should not
proceed to give Judgem.^t upon the aforegoing Inquisition

Maryland ss.

Let a writt of Enquiry issue out of the Secretarys office to Enquire
Concerning a parcell of Land Containing one thousand acres Lying
in a Creek on the South of Choptanke River Called Edmondson's
decree Given at Mattapany this third of October, 1679

To the Sec.^{ry} or his Chief Clke C: Baltemore
November 13.th 1679

Mandamus then issued to Jn.^o Brooke & W.^m Dorrington of
Dorchester County Gentl according to the aforegoing Order

Maryland ss. Inquisition of David Williams als Williamson's Land (fol. 302)

An Inquisition Indented taken this p'sent Saturday being y^e first
day of march in the fourth year of his Lordship's Dominion Annoq
Dom one thousand Six hundred Seventy eight at the house of Cap.^t
Tho.^s Walker in Sommerset County before us William Stevens &
John Winder Gentl By Virtue of a Commission issued out of his
Lordship's high Court of Chan.^{ry} in the nature of a mandamus (to
us directed) whereby we are Commanded by the Oaths of twelve
Good and Lawfull men of the County af.^d by whom the truth of
the matter may be the better known & Enquired of that We diligently
Enquire what Lands David Williams alias Williamson late of
Somerset County afores.^d deceased dyed Seized of at the time of
his Death as of fee in the County of Somerset and of what manno.^r
and und.^r what Rents and Services, & how much those Lands &
Tenem.^{ts} are of value by the year in all issues, and at what time
the Said David Williams dyed and who is his next heir & at what
age the Said heir is & who those lands & Tenem.^{ts} from the time
of the Death of the S.^d David Williams alias Williamson hath &
doth Occupy & the issues & profits hath & Doth receive by what title

Liber C D how & in what manner who hath paid the rent for the Same to whom by the Oaths of Cap.^t Paul marsh Daniell Haste Robert Hardy, William Elgate William Keen, Thomas Giller, Phillip Carter George Hill, Phillip Ascue, John Evans, Andrew Jones & Cornelius Johnson being duely Sworne upon the holy Evangelists do Say upon their Oaths as followeth That it appeareth to the Jurors a^d by a Patent under the Great Seal of this Province bearing date the first day of Aug.^t in the two & fortieth year of the Dominion of Cæcilius & Anno^q Domini one thousand Six hundred Seventy three was Granted to James Jones of the Same County of So^merset Two hundred acres of Land Called Longacre, under the yearly Rent of Seven Shillings Sterl p annum, And that by Deed Indented dated the tenth of Aug.^t 1674 the Said two hundred acres of Land was Settled upon David Williams a^ts Williamson of the s.^d County & his heirs & assigns for Ever, at the time of his Death was Legally Vested & Seized of & in a parcell of Land Called Longacre, To have and to hold the Same to him the Said David Williams a^ts Williamson his heirs and assigns for Ever under the yearly Rent of Seven Shillings Sterl p annum and that he being So Seized did in the month of ffebruary Anno^q Domini 1677 Dye So Seized without making any Will that we know of haveing been killed by Indians as the Jurors afores.^d (fol. 302) Conceive & that he hath left no heir in this County of Sommerset neither where else as the Jurors afores.^d know of & that the s.^d Tract of Land Contains onely two hundred acres & was all the Land that they can find the S^d David Williams a^ts Williamson dyed Seized of and that after his Death the possession of the Said Land was held by John Covington the Eldest Brother of the Said David Williams a^ts Williamson his wife who deceased at the Same time w.th her husband being then killed By an Indian or Indians & now is held by Morgan Jones, and Servant of Cap.^t Thomas Walker who was put into possession of the premisses by the Said John Covington & that his Lordship's Rent for the Same was duely paid by the Said David Williams a^ts Williamson in his Life time and Since his Decease by the a^t.^d John Covington and that the Said Land and all the houses upon the Same is worth Seven Shillings by the year In Testimony whereof as well the Said Commission.^{rs} as also the Juro.^{rs} afores.^d have hereunto put their hands and Seales the day and year afores.^d the Said Two hundred acres of Land is held of the manno.^r of Som^rset

William Stevens sealed
John Winder sealed

Paul Marshsealed	Andrew Jonessealed
Edward Hastsealed	Thomas Gillissealed
Robert Hardysealed	George Hillsealed
Will ^m Elgatesealed	Phillip Ascuesealed
William Keenesealed	John Evanssealed
Phillip Cartersealed	Corne Johnsonsealed

Which being Read and heard It is the Judgm.^t of the Court here this day to witt the Eighth day of Octob.^r in the fourth year of the Dominion of Charles Lord Baltemore &c Annoq̃ Domini one one thousand Six hundred Seventy nine that the parcell of land in the aforegoing Inquisition mentioned is Escheated unto his Lordship for want of heir

Liber C D

Nic: Painter Ct Cur Prov.^{alis}

To the Hon.^{ble} the Lord Proprietary

The humble Petition of Nicholas Buttram Sheweth

That John Ascombe of Calvert County being by Patent under the Great Seale of this Province bearing date the fifth day of August 1658 Granted by the late Lord Prop.^{ty} of noble memory deceased Lawfully Seized to him and his heirs of and in four hundred acres of Land in Putuxent River the Buttings & boundings whereof appear by the Said Patent hereunto annexed did by ass.^t Endorsed upon the Said Patent according to the manner then used amongst the Inhabitants of this Province Subscribed by the Said John Ascombe & Winifred his wife assign Convey and make over the Said four hundred acres of Land and all their Right therein unto Rich^d Wadsworth Andrew Henderson and David Read To hold to them and their heirs for Ever. Whereby the Said Wadsworth Hinderson and Read became Seized thereof to them and their heirs in Joynt Tennancy undivided Afterwards the 20.th of September 1664 the Said Wadsworth & Susan his wife at a Court there held for Calvert County did Release & make over his third part of the Said four hundred acres of Land unto the Said Two Joynt Tennants viz.^t Hinderson and Read, as by a Copy of the Record annexed appeareth after that the Said David Read dyed whereby Andrew Hinderson in Right of Survivorship was possessed of the Said whole four hundred acres to him & his heirs for Ever, The -4th of Aprill 1672 Hinderson made his will in writeing and did thereby will in these words, That my welbeloved Wife Elizabeth Hinderson be my Ex.^{rx} to my whole Estate Land & all nothing Excepted, Item I will that all my Estate moveable & Imoveable to my welbeloved wife onely one hundred acres of Land and unto my wives Son Roger this Country, if not then as by the Copy of the Hinderson thereupon dyed the Said Elizabeth relict of the Said Hinderson w.^{ch} Said Elizabeth after the Same mar her Will in writeing & did Temporall Estate w.^{ch} her Said [hus]band Hinderson bequeathed her by his will Land & pet.^r But if it Should happen

Cowes w.^{ch} I give and bequeath alive and that he Come into also to my wife I bequeath it annexed may appear The Said Pet.^r Nicho: Buttram married the fourth of January 1676 made give and bequeath all the accepted unto yo.^r Roger Should be

p. 247
(fol. 304)

paying of four thousand Six hundred fifty Eight pounds of Tobacco for Costs adjudged to the p.^{lts} upon a Decree obtained in this Court Oath of Roger ffowke Gent dat 4th December ret 10.th ffebruary 1679

Liber C D

To the R.^t Hon.^{ble} the Lord Proprietary of Maryland &
The Humble Petition of Henry [Hollis & Eliza]beth his wife late
Relict of John Grammer of [Calvert Cou]nty deceased Submissively
Sheweth

Whereas John Grammer late of Calvert [County was po]ssessed
of two parcells of Land Lying in Putuxent River
the Island Creek Containing in the whole three
Called the School house and being So possessed of
August in the year of our Lord Seventy
Seven did make his last will and Seale
whereby he did bequeath as my Whole
plantation which I now dwell of Cattle
and hoggs with all the Rest of my whole Estate whatsoever
unto my wife Elizabeth Grammer dureing her widowhood and if
in Case She the Said Elizabeth Shall happen to after my
decease, that then my Said Plantation and whole Estate to be taken
away from the Said Elizabeth by the Court and to be kept by
order of the Said Court of Calvert County for the maintenance of
the poor and Orphans of this County for Ever, Now So it is may
it please your Lordship that yo.^r Pet.^r Elizabeth haveing Since the
Death of her Said Husband Grammer Intermarried with yo.^r Pet.^r p. 249
Henry Hollis whereby She is informed She hath forfeited all the (fol. 306)
Estate w^{ch} She Could Claime in the afores.^d Land Nevertheless
being also informed that the Said Land by Reason of the bequest
afores.^d to the poor & Orphans of this County and to the Comis-
sion.^{rs} of the Same County for their use is by Severall Statutes of
England forfeited and the Said Guift void & null, Therefore yo.^r
pet.^{rs} humbly pray your Lordship to issue out your Lordship's writt
of mandamus to Enquire of the Said Land and if the Same be by
any ways or means forfeited or Escheated to yo.^r Lordship yo.^r (fol. 307)
petition.^{rs} do humbly pray that they may be admitted to purchase
the Said Land to them and their heirs at Such reasonable rates as
yo.^r Lordship in Charity Shall think meet

And as in duty bound they shall ever pray

Underneath the aforegoing Peticōn was written as followeth
Let a writt of mandamus issue to Commiss.^{rs} to Enquire of the Land
above in the Petition menconed and for So doing this Shall be yo.^r
warrant Given under my hand this Second day of December 1679
To W.^m Calvert Esq^r Sec.^{ry} C: Baltimore
of Maryland

Liber CD December the 10.th 1679

Mandamus then issued to majo.^r Charles Boteler & Cap^t Sam^l Bourne of Calvert County Gent Commanding them that by the Oaths of twelve &c the Diligently Enquire what Lands John Grammer late of Calvert Co.^{ty} deceased dyed Seized of &c returned without delay

Inquisition fol 251 [pp. 307-11]

Charles absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To our welbeloved John Stone & W.^m Barton of Charles County Gent Greeting Whereas Symon Overzee late of Charles County deceased had Granted unto him by Letters Patent under the Great Seale of this province bearing date the Eleventh day of march Anno^q Domini one thousand Six hundred fifty eight a parcell of Land for five hundred and fifty acres Called Rotterdam Lying on the north Side of Potomock River & on the Eastern branch of a Creek in the Said River formerly Called Nangemy Creek but now Avon Creek, Beginning at a marked oake Standing near a marsh Called Chandlers marsh next adjoyning to the Land of Job Chandler Esq^r Running for breadth from the Said oake north East and by East one hundred Sixty and five perches to a marked oake Bounding on the north by a line drawn East from the Said Oake for Length five hundred perches on the east by a line drawn South west & by west from the End of the East line one hundred Sixty and five perches untill it Intersect a paralell drawn from the said Chandler's Land on the South with the Said Paralell the west with the s.^d River Containing &c And Whereas by a

Inquisition bearing date the fifteenth day of December Anno Domini one thousand Six hundred Seventy one, it appeareth that the Said Symon Overzee dyed Seized of the afores.^d parcell of

Demeasne as of fee and that the Said Symon dyed Intestate and without heirs Whereupon It was the Judgm.^t of our Justices of our Provinciaall Court that the Said parcell of Land is Escheated unto us for want of heir and that the Just quantity of the Said Land may be ascertained unto us We Command you that you Cause Twelve Good and Lawfull men of the Neighbourhood to be Summoned and Impannelled to go upon the Said Land who are to be by you duely Sworn to direct Rich.^d Edelen Gent Dep.^{ty} Surveyo.^r of the Said County according to the best of their knowledge, of the true ancient bounds of the S^d Land that the Same by the s.^d Richard may be diligently Laid out & that you return a fair Certificate & plott of yo.^r proceedings herein und.^r yo.^r hands and the hands and Seals of the Said Dep.^{ty} Surveyo.^r and Juro^{rs} aforesaid into the Secretarys office with all Convenient Speed And for So doing this Shall be your warrant Wittness our Self at our City of S.^t maries

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(fol. 308)

the Seventh day of march in the fourth year of our Dominion &c Liber C D
Annoq Domini one thousand Six hund.^d Seventy eight

An Inquisition Indented taken the Twenty fifth day of November
in the fourth year of the Dominion of the R.^t Hon.^{ble} Charles
absolute Lord & Prop.^{ty} of the Provinces of Maryland & Avalon
Lord Baron of Baltimore &c and in the year of our Lord one
thousand Six hundred Seventy nine at the house of Rob.^t Doyne
Gent at Nanjemy in Charles County before John Stone & William
Barton Gent by Virtue of a Commission to them directed in the
nature of a writt of mandamus and to this Inquisition annexed
by the Oaths of Cleborne Lomax George Godfrey Thomas Mitchell
John Clement James Wheeler, Richard Hall Nicholas Cooper
mathew ffarman, John Boise, John Lambert, William Theobalds
Phillip Hoskins to go along with Richard Edelen or Cap.^t Rand.^o
Brandt or either of them that they Begin his or their Survey of a (fol. 309)
parcell of Land Called Rotterdam Lying in Nanjemy in Charles
Co.^{ty} aforesd and Begin the Said Survey of the Said parcell of Land
at a banded Spanish oake Standing in a forke at the head of Chan-
dlers marsh and So to prosecute his or their Survey of the s^d pcell of
Land Called Rotterdam according to the Original Certificate of
Survey made by Robert Clarke late Survey.^r Gen.^l of this Province
w.^{ch} Jurors upon their Oaths Says according to the Informa^{on} of
Richard Edelen that they did See Cap.^t Brent Begin the
Survey of the afores.^d parcell of Land Called Rotterdam at a bounded
Spanish oake Standing in a forke at the head of Chandlers marsh
to w.^{ch} the S.^d Rich.^d Edelen was directed by a Jury of y^e Neigh-
bourhood as by an Inquisition under their hands & Seals taken the
Eighteenth day of September last past may appear, from the Said
Spanish Oake to runn north East and by east one hundred Sixty
and five perches untill it Intersects a paralell line thence East five
hundred perches to a bounded oake with Six notches on the north
Side Creek thence Running South west & by west from
the East line one hundred Sixty and five pches untill
it paralell line drawn from the s^d Chandlers marsh
In Wittness whereof the Comiss.^{rs} with the Survey.^r as well as the
Juro.^{rs} have hereunto Set their hands and Seals the day and year
above Written

Rand.^o Brandt sealed
Cleborne Lomax sealed

Maryland ss.

Whereas By virtue of a mandamus from the R.^t Hon.^{ble} the Lord
Prop.^{ty} bearing date the fifteenth day of November Instant Com-
manding to Call before us Twelve Good and Lawfull men of the
neighbourhood and Richard Edelen and Rand.^o Brandt or either of

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(fol. 309)

Liber C D them to Begin his or their Survey of a parcell of Land Called Rotterdam in Charles County at a Bounded Spanish oake Standing in a
 (fol. 310) forke at the head of Chandlers Marsh, and to prosecute the Same according to the Originall Survey made by Robert Clarke Late Surveyor Gen.ⁿ of this Province &c

In Obedience whereunto We the Said John Stone and William Barton Called before us Claborne Lomax George Godfrey Thomas Mitchell John Clemont James Wheeler Richard Hall, Nicholas Cooper, mathew Harman, John Boise John Lambart William Theobalds & Phillip Hoskins, Twelve Good and Lawfull men of the neighbourhood as also the Said Brandt Surveyor.^r who proceeded in the s^d Survey according to precept, But all the Said Juro.^{rs} (Cleborne Lomax Excepted refused to Sign and Seale the Inquisition because they Commanded to begin at a Tree w.^{ch} is not the Originall tree, as appears by the Oath of Archibald Walkup, and the give as our Return under our hands and Seales this Six and Twentieth day of November Annoq Domini one thousand Six hundred Seventy nine

John Stone sealed

William Barton sealed

An Inquisition Indented and taken at the house of Robert Doyne Gent at Nangemy in Charles County on the Eighteenth day of Sept.^r in the fourth year of our Dominion of the R.^t Hon.^{ble} Charles absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c.^a And in the year of our Lord God one thousand Six hundred Seventy nine Before John Stone & William Barton Gent By virtue of a Commission in the nature of a writt of mandamus by the Oaths of Robert Robins John Ocane, Archibald Waheb, Edward Price, Thomas Craxstone, Joseph Manning, Garrett Sinnott, John Godshall, John Gourly, Richard Morris John Ward and Robert Middleton to direct Richard Edelen Deputy Survey^r according to the best of their knowledges to the true ancient bounds of a parcell of Land Called Rotterdam Lying Scituate and being at Nangemy in the County that the Same by the S.^d Rich.^d Edelen might be diligently Laid out w.^{ch} upon their Oaths Says that according to the best of their knowledge they have directed the said Richard Edelen to the true ancient Bounds of the afores.^d parcell of Land and that the Said parcell of land doth begin at a bounded Spanish Oake Standing in a forke at the head of Chandler's marsh and Running thence north East and by East one hundred
 (fol. 311) Sixty & five perches to a bounded Red oake Standing in the Woods thence East five hundred pches to a Red oake Standing on the north Side of Goose Creek thence Running South west and by west from the end of the East line one hundred sixty and five pches untill it Intersects a paralell line drawn from the Said Chandlers Land In

Wittness whereof the Comiss.^{rs} & the Survey^r as well as the Juro.^{rs} Liber C D
have hereunto set their hands & Seals y^e day & year above written

John Stone sealed

W.^m Barton sealed

Robert Robinssealed

Archibald Wahobsealed

Edw.^d Pricesealed

Thomas Craxstonesealed

John Manningsealed

Garrett Sinnettsealed

John Godshallsealed

John Gourellysealed

Rich.^d Morrissealed

John Wardsealed

Rob^t Middletonsealed

The Cause why John Ocane did not Sign and Seale the abovesaid
Inquisition, the Said John Ocane doth Say that he is Satisfied wth
the Beginning of the Survey & the Running of the north East and
by East Line & likewise with the Running of the East line untill it
come to a branch near the Plantation of John Wood for that he was
informed by m.^r Symon Overzee in his life time that the bound Tree
of Rotterdam did Stand in that branch w.^{ch} is above one third Short
of the line of the Said Land and no bound Tree being mençoned in
the Patent to stand at the End of the East line

Jone Stone (signed)

W.^m Barton (signed)

Charles absolute Lord & Proprietary of the Provinces of maryland
and avalon Lord Baron of Baltemore &c To John Stone & William
Barton Gent Greeting We Command you as [formerly] we have
Commanded you that you Charles Robert Robins Archibald Wahob
Edward Price Thomas Craxstone, Joseph manning, Garrett Sinnett,
John Godshall Jn^o Gourelly Richard Morris John Ward Robert
Middleton and one more Good & Lawfull men to be Summoned to

up a Jury of the neighbourhood to direct Richard
Edelen Dep.^{ty} Surveyo.^r according to the best of their knowledges
of the true ancient bounds of a parcell of Land Called Rotterdam
Lying at Nanjemy in Charles County aforesaid that Same by the
Said Richard Edelen may be diligently laid out And We do hereby (fol. 312)
appoint Impower and Comand the Said Rich.^d Edelen to lay out the
aforesaid parcell of Land according to Such directions to him to be
given as aforesaid and to Return a Certificate of yo.^r proceedings
herein with a fair

distinctly drawn of the Said Land as
well under your hands and Seals as under the hands & Seals of the
Juro.^{rs} and Deputy Surveyo.^r aforesaid into the Secretarys office with
all Convenient Speed Wittness our Self at our City of S.^t Marys the
tenth day of October in the fourth year of our Dominion &c Annoq
Domini one thousand Six hundred seventy nine

An Inquisition Indented and taken at the house of Robert Doyne
Gent at Nanjemy in Charles County on the Seventh day of November

Liber CD in the fourth year of the Dominion of the R.^t Hon.^{ble} Charles Lord and Proprietary of the Provinces of maryland and Avalon Lord Baron of Baltimore &c and in the year of our Lord God one thousand Six hundred Seventy and nine before John Stone and William Barton Gent By virtue of a Comission to them directed in the nature of a Writt of mandamus By the Oaths of Robert Robins and William Wells Archibald Wahob Edward Price Thomas Craxstone, Joseph Manning Garrett Sinnett, John Goshall John Gourelly Richard Morris John Ward and Robert Middleton to direct Richard Edelen Gent Dep.^{ty} Surveyo.^r according to the best of their knowledges to the true Ancient Bounds of a parcell of Land Called Rotterdam Lying Scituate & being at Nanjemý in the County afores.^d that the Same by the S.^d Richard Edelen might be diligently Laid out w.^{ch} Juro.^{rs} upon their Oaths Says that according to the best of their knowledges they have directed the Said Richard Edelen to the true ancient bounds of the af.^d parcell of Land and that the Said parcell of Land doth begin at a bounded Spanish Oake Standing near Avon River on y.^e Eastermost branch Running thence by the Said Branch north Eas and by East one hundred Sixty and five perches thence East Sixty and Eight pches thence north and by East forty and four pches to a hollow Red oake thence East three hundred and Sixty perches to an old decayed white Oak Standing at the head of a branch that Runneth out of Goose Creek w.^{ch} is the Bounds of Rotterdam as it doth appear by the Oath of John Cane, In Wittness whereof the Comiss.^{rs} and the Surveyo.^r as well as the Jur.^{rs} have hereunto Set their hands and Seals the day and year first above written

John Stone sealed

W.^m Barton sealed

Rich: Edelen sealed

Rob.^t Robinssealed
W.^m Wellssealed
Archib.^d Wahobsealed
Edward Pricesealed
Thomas Craxstonesealed
Joseph manningsealed

Garrett Sinnettsealed
John Godshallsealed
John Gourellysealed
Rich^d Morrissealed
John Wardsealed

(fol. 313) Underneath the aforegoing Inquisition was thus written viz.^t Memorandum the within mençoned Robert middleton Refuseth to Subscribe to the above Inquisition for that he Sayth he is of opinion the Surveyo.^r began at the Right Bound tree as doth appear by the positive Oath of Archibald Wahob and that the Said middleton is well assured the first Line was duely Runn for the length of one hundred Sixty five pches and from thence he is of the opinion the Surveyo.^r ought to runn five hundred perches upon an East Course according to the precept, w.^{ch} was agreed on by all the Jurors, and falling upon John Woods plantation was denied

to proceed any further by the Said Wood he pretending what he
 did was by the advice of Coll^o Benjamin Rozer Wittness my hand Liber C D
 this Seventh day of November one thousand Six hundred Seventy
 nine Robert Middleton (signed)

RR Lidia Selley ag.^t Collen Mackensy writt of Erro.^r
 Supersedeas & Scire fa. dat the 3^d Decemb.^r Return 10.th ffebruary
 1679 Rob^t Ridgely Security in 1500.^l Tob^o

Charles Co.^{ty} ss.

Know all men by these presents that Whereas there was Granted
 unto Edward Parker late of S.^t maries Co.^{ty} my deēd husband
 Eight hundred acres of Land Lying on the East Side of Chese-
 peake bay & on the East Side of a Creek Called ffendall's Creek
 as by Patent under the Great Seal of this Province bearing date
 the thirteenth day of January in the Seven and Twentieth year
 of the Dominion of Cæcilus Late of happy memory and in the
 year of our Lord God one thousand Six hundred fifty Eight
 may more Largely appear, now know ye that I Elizabeth Young
 late of S.^t marys Co.^{ty} adm.^r of my S.^d deēd husband Edward
 Parker af.^d for divers Good Considerations me hereunto moveing
 have Given and Granted by these presents do Give Grant assign
 and make over unto the Right Hon.^{ble} Charles Lord Baron of
 Baltemore Lord & Proprietary of the Provinces of maryland and
 avalon his heirs or assigns all my Right Title Claim and Interest
 in the Said Eight hundred acres of Land from me my heirs
 Executo.^{rs} and Administ.^{rs} as Wittness my hand and Seale this
 Seventeenth day of Septemb.^r in the fourth year of the Dominion
 of Charles &c over the Province & in the year of our Lord one
 thousand Six hundred and Seventy nine

Sealed & Delivered in the Presence of Eliz.^a Young sealed
 George Hodgson & Henry Bonner

S^r Let mandamus issue forth of yo.^r Office to make Inquisi- (fol. 314)
 cōn into a Tract of Land Called Parkerton Lying in Cæcil Co.^{ty}
 and belonging to Edw^d Parker for w.^{ch} this Shall be yo.^r warrant
 Given und.^r my hand this 10.th day of oct.^r Anno one thousand
 Six hundred Seventy nine C: Baltemore

In Chancery Between Eliz.^a Mary and margaret Beck Daughters p. 254
 and Cohers of Richard Beck deēd Infants by their Guardian Eliza- (fol. 314)
 beth Beck their mother p.^{lts} & George Godfrey defend.^{ts} George
 ffowke of Charles County Gent aged Twenty one years or thereabouts
 maketh oath that on the Eleventh day of November one thousand Six
 hundred Seventy nine he Served the defendant with a Subpœna issued
 out of the high Court of Chancery under the Seale thereof by deliver-

Liber CD ing unto him the Said George the Said Subpcena under the Seale of the Said Court w.^{ch} Said Subpcena was directed to the Said defendant & was for him to pay to the Comp.^{ts} or to the bearer of the Said writt the sume of four thousand Six hundred fifty Eight pounds of Tobacco for Costs of Suit adjudged by the Said Court against him in the Said Cause and the Deponent did at the Same time demand of the Said defend.^t the s.^d Costs and if he would pay the Same this Depon.^t would give him a Receipt for the Same on the back Side of the Said Subpcena But the S.^d Defend.^t Refused to pay the Same to this Depon.^t nor hath he paid the Same to the Comp.^{ts} or this Depon.^t or any for them to this Depon.^{ts} knowledge Roger fflowke
November 11.th 1679

Jurat Coram me Benj.^a Rozer

(fol. 315) Charles &c To our Trusty & Welbeloved L.^t Coll.^o Henry Darnall & Coll.^o Henry Jowles Greeting Whereas by a finall Order & Decree of our high Court of Chancery Remaining upon Record in our S.^d Court it is Ordered & appointed you to Audite State and Examine the accompts & other matters between Thomas Bland & Damoras his wife Comp.^{lt} and Edward Dorsey and Sarah his wife defend.^{ts} depending in this Court or at Law and Stopt by Injuncon of this Court at Such time and place as you Shall appoint, w.^{ch} Said Order of our Said Court is hereunto annexed We willing that Justice Should be done and that all decrees and orders of our Said Court Should be Exactly performed do hereby Strictly Charge and Comānd you and either of you that the Said p.^{ys} Comp.^{ts} and Defend.^{ts} you Call before you at Such time and place as to you Shall Seem meet and the s.^d acc.^{ts} & other matters between the Said partys that you audite state & Examine according to the Order of our Said Court & that a Report of your proceeding herein that you Send to us under your hands & Seals into our Court of Chancery the tenth day of ffebruary next wheresoever we Shall then be and this our precept Wittness our Self at our City of S.^t maries the Eighteenth day of December in the fifth yeår of our Dom &c Annoq; Domini 1679

NB Subp.^a Stephen Murty to Answer a Bill in Chancery ats Thomas Sympon dat 19.th January ret 13.th of february

RR Subp.^a to Garrett Vansweringen to hear Judgm.^t ats John Quigley dat 5.th of february ret 12.th Eadem Memen 1679

RR Subp.^a to John Addison ad Testificand. p Rob.^t Mason Comp.^{lt} ag.^t John & Thomas Penroy def.^{ts} dat 7.th ffeb.^{ry} ret y.^e 9.th february 1679

RR Subp.^a to Henry Smith, Jane Jones, Sarah Rogers, Luke Hardiman and Rowland Cornelius ad Testificand: p Robert Mason Comp.^{lt} ag.^t John and Thomas Penroy defendants dat 7.th february ret 9.th february 1679 Liber C D

RC Charles absolute Lord & Prop.^{ry} of the Provinces of maryland and Avalon Lord Baron of Baltemore &c To the Sheriff of Baltemore Co.^{ty} Greeting We Command you that in all and Every place within your Bailywick as well within Liberties as without where you Shall think fit you Cause on our behalf publick Proclamation to be made that Edward Pynn under pain of his fidelity psonally appear before us in our Court of Chancery upon the Eleventh day of may next wheresoever it Shall then be and yet in the meane time that you take him the s.^d Edw.^d Pynn if he may be found So that you have him before us in our Said Court of Chancery at the day afores.^d to answer unto us as well touching a Certain Contempt by the af.^d Edw.^d Pynn ag.^t us Committed as is alledged as to Such other things as Shall be then and there objected ag.^t him by Jonathan Sybrey Comp.^{lt} ag.^t him the s.^d Edw.^d Pynn def.^t and further to do and Receive what our Said Court shall Consider of in this behalf and this you may in no wise omitt and have you there this writt Wittness &c dat 23.th february 1679 p. 255
(fol. 315)

RC Charles &c To the Sheriff of S.^t marys County Greeting We Command you that in all and Every place within yo.^r Bailywick as well within Libertys as without where you Shall think fit you Cause on our behalf publick Proclamacon to be made that Thomas Penroy under paid of his fidelity psonally appear before us in our Court of Chancery upon the Eleventh day of may next wheresoever it Shall then be, and yet in the mean time that you take him the Said Thomas Penroy if he may be found in yo.^r Bailywick So that you have him before us in our said Court of Chancery at the day af.^d to Answer unto us as well touching a Certain Contempt by the Said Thomas Penroy ag.^t us Comitted as is alledged as to Such other things as Shall be then & there objected ag.^t him by Robert mason p.^{lt} ag.^t the s.^d Thomas & John Penroy def^{ts} and further to do and Receive what our Said Court Shall Consider of in this behalf and this you may in no wise omitt and have you there this writt Wittness &c dat 23.th feb.^{ry} Annoq; Domini 1679 (fol. 316)

RC. Charles &c To the Sheriff of Cæcil County Greeting we Comānd you that you take George Oldf Peterson if they Shall be found in yo.^r Bailywick and them safe keep So that you have them before us in our Court of Chancery the Eleventh day of may next wheresoever it Shall then be to answer unto us as well touching a Certain Contempt by them the Said George &

Liber C D agst us Comitted as is alledged as to such other things as be then and there objected ag.^t them by John Browning Comp.^{lt} against them the S^d George & def.^{ts} and this you may in no wise omitt and have you there this writt Wittness & dat 23.th february 1679

RC Charles &c To Nicholas Hackett Greeting We Com-mand you that Imediately upon the Receipt of this writt you pay or Cause to be paid to Mary Roe widdow adm.^r of the Goods & Chattells of Edw.^d Roe decd or the bearer hereof the Sum of Eleven hundred Eighty four pounds of Tobacco adjudged ag.^t you by the Justices of our Court of Chancery for not prosecuting of your Bill of Comp.^{lt} ag.^t the Said mary defend.^t and this you may in no wise omitt under the pain Ensueing Wittness our Self at our City of S.^t marys the three and twentieth day of ffeb.^{ry} in the fifth year of our Dominion &c Annoq Domini 1679

RC Charles &c To Walter Dickenson W.^m Dickerson Edw.^d Man W.^m Combes & John Piner Greeting we Comand you that all Excuses Ceasing & all Causes Set aside you be and psonally appear before us in our Court of Chancery the Eleventh day of may next wheresoever it Shall then be to Answer unto Such things as Shall then be objected against you by Richard Royston adm.^r of the Goods and Chattells of W.^m Crosse decd p.^{lt} ag.^t you defend.^{ts} in a Cause of Equity there depending that o.^r Justices of our Said Court hearing the Cause may do therein what to Justice Shall appertain and this you may in no wise Omitt under the pain of 100^l Sterling and have you there this Wridd Wittness & dat ut Supra

p. 256
(fol. 316)

Inquisition of Hind^rson's and Buttrums Land

An Inquisition Indented taken the three and Twentieth day of Jan.^{ry} in the fifth year of the Dominion of Charles &c^a Annoq Dom 1679 at the house of Thomas Cosden in Calvertown in Calvert Co.^{ty} in the Province of Maryland before us Charles Boteler and Samuell Boarne Gent By virtue of a Commission in the nature of a Mandamus issued out of his Lordships Court of Chan.^{ry} to us directed by the Oaths of Twelve Good & Lawfull men of the Said County diligently to Enquire what Lands & Tenem.^{ts} Andrew Hinderson & Elizabeth Buttrum late of Calvert Co.^{ty} deceased held of the Right Hon.^{ble} the Lord Prop.^{ry} in their or either of their Deameasne as ffee at the time or times of their or either of their Deaths, and of what manno.^r and by what Services and how much those Lands and Tenements are of value by the year in all issues and at what time or times the Said Andrew Hinderson and Elizabeth dyed and who is their or either of their next heir or heirs and who those Lands and Tenem.^{ts} from the time of the Deaths of the Said Andrew and Elizabeth hath or doth occupy and the issues and profits thereof hath and

(fol. 317)

doth Receive and by what Title and how & in what manner, By the Oaths of John Broom Rich.^d Smith, William Barton, Christopher Baynes Thomas Sedwick Thomas Arnold Edward Cowdrey, Thomas Jessup, Joseph Williams Thomas Edwards William Collingwood and Joseph Dawkins, who being by us duely Sworn Say upon their Oaths as followeth

Liber C D

That the S.^d Andrew Hinderson dyed in the month of January Anno^q Domini 1671 Seized and possessed of two hundred acres of Land in his Demeasne as of fee in the County of Calvert being the one half of a parcell of Land formerly Granted to John Ashcombe Lying on the north Side of putuxent River near Hollowing point and that the s^d Land was held by the Said Andrew Hinderson in fee

Co^mon Soccage by fealty only for all Services under the yearly Rent of four Shillings Sterling w.^{ch} Said Land with the Houses thereupon Built in all issues and profits is worth Two hundred pounds of Tobacco by the year

And the Said Jurors Say that the Said Andrew Hinderson dyed Seized & possessed as afores.^d without any heir to whom the s^d Land might or could descend as they know of, But do Say that the s^d Andrew Hinderson did in his life time make his last will & Testam^t in writeing under his hand and Seale bearing date the Twenty third day of January in the year of our Lord 1671 and thereof make his Loveing wife Elizabeth Hinderson his Ex.^{rx} to his whole Estate Lands & all nothing Excepted also he did will all his Estate moveables and Imoveables to his well beloved wife onely one hundred acres of Land and two Cowes w.^{ch} he did Give and bequeath to his wife's Son Roger Moore if alive & that he come into this Province, If not that is to Say if the Said Roger Moore Come not into this province or be dead then the Same also to his wife, he did bequeath, as by a Transcript of the s.^d Will more at Large appeareth But the Said Juro.^{rs} do not find that ever the Said Roger Moore Came into this Province but the Said Elizabeth Hinderson By virtue of the Said Will & Testament Entered into and tooke possession of the premisses & afterwards did Intermarry w.th one Nicholas Buttrum who in her Right hath held and kept possession of the premisses and Received the Rents issues & profits thereof untill the month of January in the year of our Lord one thousand Six hundred Seventy Six at which time the s^d Elizabeth did make her last will and Testam.^t in writeing under her hand and Seale bearing date the fourth day of January 1676 by w.^{ch} Said will she did bequeath the Same Land & all nothing Excepted unto her dear husband Nicholas Buttrum But if it Should happen that her Son Roger Moore be alive that then her Said Son to have one half of the Land with what else is already bequeathed in her deceased husband Andrew Hinderson's Will, but if her Said Son be dead, then She did bequeath all to her

p. 257
(fol. 317)

(fol. 318)

Liber CD Dear husband Nicholas Buttrum as by the Same will hereunto annexed appeareth, And the Said Elizabeth haveing made her last will & Testam.^t as af.^d in the month of January af.^d dyed & that Since her death the Said Nicholas Buttrum by Colour of the Said Last will & Testam.^t into the Said Land did Enter & the Same doth possess and the issues and profits thereof doth Receive and that the Said Nicholas hath paid the Rent of the Same In Testimony whereof as well the Said Commission.^{rs} as the Said Juro.^{rs} have hereunto Set their hands and Seals the day & year first above written

C Boteler sealed

Sam^{ll} Bourne sealed

Rich. ^d Smith Jun. ^r	} sealed	Xtopher Baynes	} sealed
Tho Jessup		W. ^m Barton	
Edward Cowdry		W. ^m Collingwood	
Joseph Dawkins		Jn. ^o Brome	
Thomas Edwards		Thomas Arnold	
Joseph Williams		Thomas Sedwicks	

Which being read and heard it is the Judgem.^t of the Court here this day to witt the Seventh day of february in the fifth year of the Dominion of the R.^t Hon.^{ble} Charles Lord Baltimore &c Annoq Domini 1679 That the Two hundred acres of Land in the afore-going Inquisition mentoned whereof the Said Andrew Hinderson dyed Seized of at the time of his Death is Escheated unto his Said Lordship for want of heirs

Nic: Painter Ct Cur Prov.^{alis}

Inquisition of Edw^d Smith's Land

We the Gentl of the Jury find That Edward Smith deceased in Anno 1676 ffeb.^{ry} the 13.th further we find that Edw^d Smith dyed unpossessed of any Land being properly his own ever we find a Patent in the name of Edward Smith dred and Sixty four acres w.^{ch} Said Land was betwixt the nd
 (fol. 319) John Harding w.^{ch} was Partners in the Said Land
 was bought of George Yates & Robert Wilson by he
 paid all the Tobacco for it and the Said Ardine paid
 the Rents and Services of the S^d Land Ever last two
 years the Sheriff refuse Receiving the all the Right
 the Said Edward Smith had to the Said Land was but by trust from
 John Ardine We find that the Said Edward Smith dyed without
 p. 258
 (fol. 319) known by the name of Batchellors Delight Lying in Back River and
 held of the manno^r of Baltimore, and further we find that the Rent
 of the Said Land Lyeth at five Shillings and four pence p year And
 we find that the Said Land will yeild p year one hundred pounds of
 Tobacco.

Ever Since the Death of the aforesaid Edward Smith the s.^d John Ardine hath had possession of the Said Land as being his own having truly paid for it Together with Rents to the Sheriff as afores^d and that he hath Since the Death of Edward Smith received no profit from the Said Land Given under our hands & Seals the ninth of December 1679

Liber C D

Edward Mountford
foreman

William Pearles	} sealed	ffrancis Vorst	} sealed
Jonas Boying		Robert Cunneworth . . .	
Robert Gardner		Tho: James	
Setmaris Oternergh . . .		Oliver Haife [?]	
Ambrose Gillett		W. ^m Milbourne	
		John Thronton	

Which being Read and heard this twelfth day of feeb.^{ry} in the fifth Year of the Dominion of the R.^t Hon.^{ble} Charles Lord Baltimore &c Annoq Dom 1679 It is Ordered by the Court that a melius Inquirendum issue better to Enquire concerning the Lands in the aforegoing Inquisition men^coned Nic: Painter Ct Cur Prov.^{alis}

Inquisition of Jn.^o Gramer's Land

An Inquisition Indented taken the three & Twentieth day of January in the fifth year of the Dominion of Charles &c Annoq Domini 1679 at the house of Thomas Co[sde]n in Calvertown in Calvert County in the Province of maryland before us Charles Boteler and Samuell Bourne Gent By virtue of a Commission in the nature of a mandamus out of his Lordship's Court of Chan.^{ry} to us directed by the Oaths of twelve Good and Lawfull men of of the Same County diligently to Enquire what Lands & Tenements John Grammer late of Calvert Co.^{ry} af.^d deceased held of the R.^t Hon.^{ble} the Lord Prop.^{ry} in his Demeasne as of fee at the time of his Death and of what manno.^r and by what Services and how much those Lands & Tenem.^{ts} are of value by the year in all issues and at what time the Said John Grammer dyed and who is his next heir and who those Lands Since the Death of the Said John Grammer hath or doth Occupy and the issues and profits doth receive & by what Title & in what manner by the oaths roome Richard Smith W.^m Barton Christopher Baynes Tho Sedwick, Thomas Arnold Edw.^d Coudry Thomas Jessup, John Larkins, Thomas Edwards William Collingwood & Joseph Dawkins being by us duely Sworn Say upon their Oaths as follows that the Said John Grammer dyed in the month of Aprill of our Lord 1678 Seized of Two parcells of Land three hundred forty nine acres Lying in a Creek Called Grammer's Creek in Putuxent River and that the Said John Grammer held the Same Lands of the Lord Proprietary

(fol. 320)

Liber C D his heirs in free and Common Soccage by by fealty only for all
 p. 259 Services under the yearly Rent of Seven Shillings Sterling and
 (fol. 320) holden of his Lopp's manno.^r of Calverton w.^{ch} Said Land is worth
 by the year in all issues and profits Eight hundred pounds of
 Tobacco

And the Jurors upon their Oaths further Say that the Said John
 Grammer dyed So Seized and possessed as afores.^d without any
 heir (as they know of) to whom the Said Land might or could
 descend only they Say that the Said John Grammer in his lifetime
 viz.^t upon the Sixth day of August 1677 did make his Last will and
 Testam.^t in writeing under his hand and Seale and thereof did make
 his wife Elizabeth Grammer his full and Sole Executrix and amongst
 other things devised to her the Said Elizabeth his whole plantation
 w.^{ch} he then dwelt upon and all his Stock of Cattle and hogs with all
 the rest of his Whole Estate & Debts whatsoever unto the Said
 Elizabeth dureing her lifetime or widowhood and if in Case the s.^d
 Elizabeth Shall happen to marry after his the Said John Grammer's
 decease that then his Said plantation and whole Estate to be taken
 away from the Said Elizabeth and kept by order of Court of Calvert
 Co.^{ty} and for the maintainance of the poor and Orphans of the
 Same Co.^{ty} for Ever And that the Said Elizabeth Grammer by
 (fol. 321) virtue of the Said Will Entered into and took possession of the S^d
 Lands & p'mises & afterwards Intermarried with one Henry Hollis
 who in her Right hath held and kept possession of the premisses &
 Received the issues and profits of the Same, But who hath paid the
 rent thereof they know not, In Testimony whereof as well the Said
 Comission.^{rs} as the Said Jurors have hereunto Set their hands
 and Seales the day and year first above written

C: Boteler }
 Sam.ⁿ Bourne } Sealed

Richard Smith Jun. ^r . . .	} Sealed	Tho Sedwicks	} Sealed
J. Brome		Tho Edwards	
W. ^m Barton		Edw ^d Cowdrey	
W. ^m Collingwood . . .		Tho Jessup	
Tho: Arnold		Jos: Dakins	
Christopher Baynes . .		Jos: Williams	

Which being Read and heard it is the Judgem.^t of the Court
 here this day to witt the Eleventh day of ffebruary in the fifth year
 of the Dominion of the R.^t Hon.^{ble} Charles Lord Baltimore &
 Annoꝝ Domini one thousand Six hundred Seventy nine that Eliza-
 beth Grammer widow Relict and Executrix of the Said John Gram-
 mer deēd have and Enjoy her Dower of in and to the Lands and
 premisses in the aforegoing Inquisition menꝝoned and that the other
 two and Reversion of the whole are Escheated unto his
 Lopp for want of heir Nic: Painter Ct Cur Prov.^{alis}

RR Lydia Solley ag.^t Collen M kensy writt of Liber C D
 Erro.^r Sci: fa & Supersedeas dat 26.th ffeb.^{ry} ret 11th march
 Rob.^t Ridgely Secur in 1500.¹ Tob:

RC Cap.^t Rich.^d Hill Subp.^a in ag.^t Thomas
 Bland for 1175.¹ Tob non p Bill of Comp.^{it} dat 19.th march

RC Garrett Vansweringen John Quigley
 Subp.^a in Chan to Thomas Taylor and Thomas Bland
 19.th ffeb. ret without delay

FB Subp.^a George Parker to Answer a Bill of Comp.^{it}
 of Joseph Tilly dat 12.th ffebruary ret 13.th

ffeb.^{ry} 19.th 1679

By the Lord Proprietary and Council

Ordered that mandamus issue forth of the Chan.^{ry} Court of
 Records to the Sheriff of Charles Co.^{ty} Comanding him by the
 Oaths of Twelve Good & Lawfull men of his Bailywick to Enquire
 into the Lands & Tenem.^{ts} of Alex.^r White late of the Same Co.^{ty} (fol. 322)
 deēd w.^{ch} at the time of his Death he was possessed of, and that
 Certificate thereof be Returned with the S^d Court of Chancery
 Records under the hands and Seals as well of the Said Sheriff as
 of the Jury afores.^d with all Convenient Speed

Signed p ord.^r John Llewhellin Ct CoI

To the Hon.^{ble} W.^m Calvert Esq
 or his Chief Clke These

ffeb: 9.th

Mandamus issued according to the aforegoing Order

By the Lord Proprietary

ffeb.^{ry} 9.th 1679

Ordered that mandamus issue to the Sheriff of Kent County
 Comanding him by the Oaths of twelve honest and Lawfull men
 of y^e neighbourhood to Enquire what Lands and Tenem.^{ts} Edward
 Sparks dyed Seized of and to make Return thereof into the Court
 of Chancery Records with all Convenient Speed

Signed p ord.^r John Llewhellin Ct Councell

To the Hon.^{ble} W.^m Calvert Esq

Princip.ⁿ Sec.^{ry} of maryland These

Mandamus issued according to the aforegoing Order to Walt^r
 Kerby and Henry Carter Co^mmiss.^{rs} dat 10.th ffebruary 1679

S^r Upon Return of the Certificate of Resurvey of Basford manno.^r
 unto yo.^r office you are desired to Cause Sci: facias to issue forth

Liber CD to the heirs of John Gerrard deceased to shew Cause why Patent for the Same Should not be vacated upon Record as in Such Cases is usuall there being found a Greater quantity of Land Contained within its Bounds then was at first Granted by the Patent for your So doing this Shall be your warrant Given under our hand this thirtieth day of Aug.^r Anno 1679 C Baltemore

To the Hon.^{ble} W^m Calvert Esq
Secretary of maryland These
March 6.th 1679

Scire facias then issued to the Sheriff of S.^t ma: Co: to make known unto the heir or heirs the present Occupyers & possessors of the above mentōned pcell of Land that they be & ut Supra return 11.th of may next

(fol. 223) By the Lord Proprietary and Councell
Feb.^{ry} 14th 1679

Ordered that mandamus issue forth of the Chancery Court of Records to Roger Brooke and John Cr[aycroft] of Calvert Co.^{ty} Gent to Enquire Into the Lands of Valentine one of the Same County and to return the proceedings under their hands and Seals into our S.^d Court of Chancery with all Expedit

John Llewhellin Ct Councell

To the Hon.^{ble} W.^m Calvert Esq
Sec.^{ry} or his Chiefe Clike These
Eod. Die

Mandamus issued to Roger Brooke and John Craycroft Gent to Enquire concerning the aforementioned Lands according to the above Order

By the Lord Proprietary and Councell

Feb.^{ry} 18th 1679

Ordered that mandamus issue unto the Sheriff of Talbot County Comanding him by the Oaths of twelve Good and Lawfull men of his Bailiwick to make Inquisition into the Lands of Odoren late of the Same Co.^{ty} deēd w.^{ch} he dyed possessed of, and return their proceedings therein into the Court of Chancery with all Convenient Speed under the hands and Seales as well of the s^d Sheriff [as of the] Jury af.^d whether and how the Same be Escheated to his Lopp if

Signed p Ord.^r John Llewllin Ct Council

To the Hon.^{ble} W^m Calvert Esq
Sec.^{ry} or his Chief Clike These
Eod: die

Mandamus issued according to the foregoing Order

CHANCERY COURT PROCEEDINGS

Liber C D

An Entry of All Such Writts as issued out of the Chancery
Since the 13.th of ffebruary 1668 [/69]

p. 399
(fol. 523)

Spa Bally John p.^{lt} Raymond Staplefort def.^t ret 13.th Aprill 1668
Injunction p Eodem con Eundam to Stay pceedings on a Verdict till
Answer & other Order to the Contrary

Writts issued to the members of the upper house of Assembly

To Phillip Calvert Esqꝰ Chancello.^r to appear 13.th Apr 68

The like to William Calvert Esqꝰ

The like to Jerome White Esqꝰ

The like to Coll.^o William Evans

The like to Henry Coursey Esqꝰ

The like to Thomas Trueman Esqꝰ

Writts to y.^e Sheriffs to Elect Burgesses

To John Jarbo Sheriff of S.^t maries County to Elect 1: 2: 3: 4
Burgesses to app^r at the Assembly 13 Apr 68 writt ret 6.th Apr in
Chancery

The like to Benj.^a Rozer Sher of Calvert County

The like to Cap.^t Thomas Stockett Sher of Ann Arundel County

The like to majo^r Tho: Brooke Sher of Calvert County

The like to majo^r Tho: Ingram Sher of Kent County

The like to m.^r William Coursey Sher of Talbot County

The like to Nathaniell Stiles Sher of Baltemore County

The like to George Johnson Sher of Somersett County

The like to Raymond Stapleford Sher of Dorchester County

Sp.^a 5.^o martij Rousby Christopher & Elizabeth his wife p.^{lt} John
Peerce def.^t ret 13 Apr.

A Certiorari to Certify y.^e pceedings on the Indictm.^t of Tho:
Cocher 19.^o marcij. 68

Cæcilius absolute Lord and Prop.^{ry} of the Provinces of maryland
& Avalon Lord Baron of Baltemore &c To our Dear Son Charles
Calvert Esqꝰ Chief Justice of our Province of maryland Greeting
Whereas Thomas Cocher of Portobacko in Charles County plant.^r
of the death of Richard Turner whereof he was Indicted late before

Liber CD you and yo.^r fellow Justices of o.^r Provinciaill Court assigned at S.^t maries the Eighth day of December in the Seven & thirtieth year of our Dominion was Impleaded & by Inquisition of the County upon
 p. 400
 (fol. 523) w.^{ch} he thereupon put himself it was there found that the Said Thomas Cocher killed the afores^d Turner by misfortune for w.^{ch} the Said Thomas to the prison of Charles County was Remanded there to Expect our Grace and favo.^{rs} as we are Informed we for that Reason of the Record and process of the Inquisition afores.^d willing to be Certified Comānd that if it be So that the Record & pcoess afores.^d w.th all things thereunto Relateing to us in our Chancery distinctly & plainly under your hand and Seale without delay you Send together with this writt Wittness our Self at S.^t maries the 19.th day of march in the 37.th year of our Dominion Annoq Domini 1668

The Return of this writt

The Said Charles Calvert Esq^r Governo.^r & Phillip Calvert Esq^r Chancello.^r make a Return of the Said writt with the Record Annexed und.^r their hands and Seales the Effect of w.^{ch} Record is as followeth
 Indictm.^t

At a Provinciaill Court of the Right Hon.^{ble} Cæcilius absolute Lord and Prop.^{ty} of the Province of Maryland holden in his Lop^p's City of S.^t maries before the Justices of the Said Court the eight day of December in the 37.th year of his Lopps Dominion 1668 It was Enquired of for the Said Lord Proprietary if Thomas Cocher of Charles County in Portoback Creek, planter on the 24th day of Oct^r in the Said year at the house of Clement Theobalds in Portoback Creek afores.^d upon Richard Turner by force and Armes an assault did make w.th a Certain Gunn of the value of 10.^s w.^{ch} he the s^d Thomas Cocher in his Right hand then and there did hold divers wounds in the Body of him the Said Richard Turner did make So that of the Said Wounds the Said Richard Turner Imediately did dye and So the S.^d Thomas Cocher the Said Richard Turner then and there ffeloniously did kill Contrary to the peace of his Said Lop^p his Rule and dignity

W.^mCalvert

The Evidences are Clement Theobalds Ralph Wormley Thomas Knapp Robert Benson Mary Theobalds

The Grand Jury being Sworn & 16 in Number upon the back of y.^e Indictm.^t write and return Billa Vera

Thomas Cocher being Called to the Barr held up his hand & the Said Indictm.^t being Read unto he pleaded thereunto not Guilty & being asked how he would be tryed he Answered by God & the Countrey

The Sheriff being called brings in a Pannell of Juro.^{rs} whose names are as ffol

Liber C D
(fol. 524)

m. ^r Joseph Horsley foreman	}	John Staynes	}	Clement Theobalds
Henry Hosier		Oliver Gery		John Cocher
Richard Atkins		John Potts		Walter Green
Curtis fletcher		Thomas Hinton		Jonathan Marlen

The Jury being Sworn and their Charge Given them Concerning the prisoner and that they should hear their Evidence

The S.^d Severall Wittnesses appearing were Sworne & Examined in open Court declaring to the Jury what they Could Say therein w.^{ch} being done the Jury went from the Barr & being agreed of their Verdict Came into Court and being Called by their names Answered & that they were agreed & the foreman Sho^d Speak for them

The prisoner being at the Barr the Jury deliver in a Sp.ⁿ Verdict in writing as followeth viz.^t

Verdict

That Richard Turner was killed with a Gunn by Thomas Cocher and they pray the advisement of the Court if the Court do find it manslaughter we find it manslaughter otherwise we find it manslaughter by misadventure

The Court then asked the Jury where they find he was when he was killed or Shott, they answered without doors upon Some Loggs a Sleep

p. 401
(fol. 524)

The Jury was then demanded if he fly for it who Answered no to their knowledge
Judgm.^t

The whole Judgement of the Bench is that it was but manslaughter by misadventure

Proclamaçon being made no other person appeared to give further Evidence against him

Charles Calvert
Phillip Calvert

A pardon for Thomas Cocher

Cæcilius absolute Lord and Proprietary of the Provinces of maryland and Avalon Lord Baron of Baltemore &c To all Sheriffs Bayliffs & others to whom these presents Shall Come Greeting in our Lord God Everlasting Because we have understood by the Record of our Dear Son Charles Calvert Esq. o.^r Chief Justice of our Province of Maryland and his fellow Justices of our Provinciall Court assigned that Thomas Cocher of Portoback in Charles County planter detained in the prison of the Said County for the Death of Richard Turner of w.^{ch} he was Indicted killed the Said Richard by Chance & not by ffelony or of malice forethought We moved w.th

Liber C D piety have by these p'sents pardoned unto the Said Thomas the s.^d manslaughter & Granted unto him our firm peace thereupon So notwithstanding that he stand Right in o.^r Court if anyone will him thereupon Implead Given under our Great Seale at S.^t Maries Wittness our Dear Son Charles Calvert Esq^r Lieuten.^t Gen.^{ll} of our Said Province the two and Twentieth day of march in the 37.th year of our Dominion Annoq^o Domini 1668

S^{pa} John Long p.^{lt} W.^m Baker def.^t ret 13.th Apr

S^{pa} 11.^o febr 68 Thomas Lomax p.^{lt} Alexander Smith def.^t ret ut Supra

S^{pa} John Long p.^{lt} Will.^m Baker & Elizabeth Storey adm.^{rs} of Walter Storey def.^{ts} ret ut Sppra

S^{pa} Peter Corselles p.^{lt} Thomas Manning def.^t ret ut Supra

The Sheriff's ret p Burgesses

S.^t maries County Let the Election be at S.^t maries C. Calvert upon the 23.th day of march S.^t maries by the ffreemen of this County were Chosen four m.^r Thomas Notley m.^r Robert Slye m.^r Jn^o morecroft & M.^r Thomas [Dent] Election John Jarbo Sheriff

S^{pa} John Peerce def.^t ret 13 Apr

S^{pa} Ber Cowell p.^{lt} Jonathan Sybrey def.^t to Testifie

(fol. 525) Replevin Cæcilius &c To the Sheriff of S.^t maries County Greeting we Comand you that & without delay to be Replevyed thou Cause to Rich.^d Perry Adm.^r to Batman an Iron Gray Stone horse w.^{ch} marmaduke Snow unjustly as is Said & after him thereof Justly to be Deduced thou Cause that no thereupon Clamo.^r we may have for defect [sic] of Justice

T Charles Calvert 1.^o Apr 1669

Recognizance of in Case not recov.^r upon Repl

Replevin Cæcilius &c S.^t maries County a Box of Cloaths Con^t wearing Cloaths two fflitches of Bacon a Barrell of Corn a pott of Butter Con^t 16.^t butter y.^e Goods of Abell James detained by Thomas Cager C. C 3.^o Apr 69

Recognizance of 5^t &c.

Sher of Baltemore Co.^{ty} ret of Burgesses

March 20.th Chosen by Consent of the ffreemen of Baltemore Co.^{ty} Coll.^o Nathaniel Utye m.^r John Vanhack for Burgesses as p Nathan.^{ll} Styles Sheriff

Sher of Som^rset County ret

Liber C D

18.^o martij virtue of this writt the ffreemen of Somerset
County Elected for m.^r William Stevens m.^r Stephen
Horsey Geo: Johnson Sher

Sher of Calvert County ret

Let the be at the Town in Battle Creek C: Calvert
march y.^e 16.th Elected by the ffreemen of Calvert Co.^{ty}
4 Burgesses m.^r Hugh Stanley R.^d Hall, Tho.^s Manning Edward
Keene, Tho: Brooke Sher

Sher Dorch.^r Co^{ty} ret

By virtue of this writt for the Chusing of Burgesses at a Court p. 402
held the 29.th day of march 1669 o.^r Gen.^{ll} vote was for m.^r Rich.^d (fol. 525)
Preston to be our Burgesse to Sitt in the Assembly for our Said
Co.^{ty} of Dorch.^r Raymond Staplefort Sher

Sher Ann Arundell County ret

Upon ffryday the 13.th march 1668 at Herrington the ffreeholders
of this County Annarundell did by Comon Consent Chuse & Elect
as Burgesses or Delegates to Represent their Severall Bodys viz^t Cap^t
W.^m Burgess m.^r Tho: Taylor m.^r Sam.^{ll} Withers, m.^r Edw^d Selby
Thomas Stockett Sher

Writt of Erro.^r in Assembly manning & Hinchman

Cæcilius absolute Lord and Prop.^{ty} of the Provinces of maryland &
avalon Lord Baron of Baltimore &c To our Dear Son Charles
Calvert Esq Lieuten.^t Gen.^{ll} & Chief Justice of our Said Province
Greeting Whereas we are Informed that in the Record and proceed-
ings as also in the Giveing of Judgem.^t upon a Certain Plaint by our
writt depending before you and yo.^r fellow Justices of o^r Provincia^{ll}
Co.^{ty} of o^r Said Province held at S.^t maries between Edmund Hinch-
man p.^{ll} & Thomas Manning def.^t there hath manifest Erro.^r inter-
vened to the Great damage of the S.^d def.^t We willing that the S.^d
Erro.^r (if any be) be in due manner Corrected & that full & Speedy
Justice be in this behalf done to the S.^d def.^t do Comand you that if
any Judgm.^t be Given ye do upon the thirteenth day of Aprill Instant
Send the Records and proceedings of the S.^d Plaint with all things
Relateing thereunto to us & our Councill in the upper house of a
Generall Assembly to be then held at our City of S.^t maries that our
Court of Assembly may hear the Said Record & proceedings & the
Erro.^r then & there to be assigned & pleaded & do therein as Shall
be meet & have you there this writt Wittness our Self at S.^t maries
the tenth day of Aprill in the 37.th year of our Dominion Annoq
Domini 1669

Liber C D Sher Cha^s County his return

Let the Election be made at Portobacco Town Charles Calvert
By virtue of this writt to me directed in full County mett at Porto-
back y.^e 30.th day of march 1669 by the Assent of the ffreemen of the
s^d County I have Caused four Delegates or Burgesses for Charles
Co.^{ty} to be Elected according to the form of this writt Thomas
Thoroughgood Rich^d Boughton John Bowles Stephen Monta[gue]
by this writt I am Comanded and Required,

Benjamin Rozer

Sher of Talbot County ret

Let y.^e Ele^{ct}on be made at Wye Town ffreemen
of Talbot Co^{ty} at Wye Town y.^e 10.th day of march 1668 met &
Chose their Burgesses or Delegates m.^r Rich.^d Wollman m.^r Joseph
Weeks [m.^r William] Hamelton m.^r Danniell Clarke

[William] Coursey Sher

(fol. 526) Sher of Kent Co^{ty} ret

Executed the 20.th day of march 1668 by me Thomas Ingram
H S H Rob.^t Dunn Rich.^d Blunt Burgesses Elec
for Kent Co.^{ty}

Scire facias writt of Erro^r p manning

Cæcilius &c To the Sheriff of Calvert County Greeting because
in the Records & process & also in a Rendring of Judgm.^t in a plaint
w.thin o^r Court before our Chiefe Justice & his fellow Justices of o.^r
Prov.^{ll} Co.^{ty} held at S.^t maries y^e day of in the
and thirtieth year of our Dom.ⁿ Between Edmund Hinch-
man p.^{lt} & Thomas Manning def.^t there hath manifest Erro.^r hap-
pened to the Grievous damage of the s.^d def.^t as out of his Comp.^{lt}
we have accepted the Record & pcess of w.^{ch} Said Judgem.^t thereupon
before us lately for Certain Causes we have Caused to Come, & we
being willing that the Erro.^r if any be Shall be in due manner Cor-
rected & full & Speedy Justice to be done to the parties af.^d in this
behalf we Command you by honest & Lawfull men of yo.^r
Bailywick you make known to [Ed]mund Hinchman that he be
before us & our Councill in the upper house of Generall Assembly
on the 17.th day of this Instant Aprill the s.^d Erro.^r and
further to do & Receive that w.^{ch} we & o.^r Said Councill in y.^e upper
house of a Gen.^{ll} Assembly of that Shall then Consider & have you
there the names of them by whom you made this known unto him
and this writt Wittness our Self at S.^t maries the 14.th day of Aprill
in the 37.th year of o^r Dominion Annoq Domini 1669

p. 403
(fol. 526)

Writt of Erro^r in the Assembly p Jenifer & Brooke

Cæcilius &c To the Sheriff of Calvert County Greeting To our
Dear Son &c Whereas we are Informed by Daniell Jenifer & mary

his wife Executrix of the Last will & Testam.^t of William Smith late of S.^t marys in the Co.^{ty} of S.^t maries deēd that in the Record & process as also in the Giveing of Judgm.^t upon a Certain Plaint by our writt depending before you & yo^r fellow Justices of our Prov.^{ll} Court &c in the life time of the S^d W.^m 11.^o Apr in the 35.th year & Between the Said Willm Smith p.^{lt} and Katherine Stevens Adm.^{rs} of Rob.^t Stevens def^t there hath manifest Erro.^r Intervened to the Great damage of the s^d Daniell & mary & to the Retardaēon of the Execution of the Said Testam.^t we willing &c as in the former writt of Erro^r

Scir fac upon the Same

Scire facias on this writt at the Prosecution of Daniell Jenifer & mary his wife Executrix of the Last will & Testam.^t of William Smith deēd ag.^t John Brooke & Katherine his wife Later Katherine Stevens adm.^{rs} of Rob^t Stevens dec.^d To Sher of Calvert County & ret ut Supra

Sheriff's Patent for Calvert County

Cæcilius &c To all to whom these presents Shall Come Greeting Know ye that we have Comitted to our beloved Christopher Rousby Gent our County of Calvert with the appurtenances to be by him Kept dūreing our pleasure So as he Render unto us yearly our firm dues & Answer unto us our Just Rights, & for all other things belonging to the office of high Sheriff of o.^r Co^{ty} before our Chief Justice of our Said Province Given at our City of S.^t maries under the Great Seale of our Said province Wittness our Dear Son Charles Calvert Esq^r our Lieuten.^t Gen.^{ll} of our Said Province the 17th day of Ap.^{ll} in the 37.th year of our Dominion over the Same Province Annoq^m Domini 1669

A writt of discharge to y.^e late Sheriff

Cæcilius &c To major Thomas Brooke late high Sheriff of our County of Calvert Greeting Whereas We have Comitted to our beloved Christopher Rousby Gent our S.^d County with the appurtenances to be by him kept dūreing o.^r pleasure We Command you that by Indentures to be duely made & Executed between you & the S.^d Christopher Rousby you deliver unto the s^d Chr Rousby the Said County with all Rolls writts Records & other matters and things to the S.^d Office high Sheriff belonging & w.^{ch} are in your Custody Wittness our Dear Son Charles Calvert Esq^r Lieuten.^t Gen.^{ll} of our Said province y.^e 17th day of Aprill in the 37.th year of our Dominion over our S.^d Province Annoq^m Domini 1669

Writt of assistance for y.^e Sher of Calvert County

(fol. 527)

Cæcilius &c To all the ffreeman & other p^{rs}ons of the County of Calvert Greeting Whereas we have Comitted to our beloved Chr: Rousby Gent o.^r S.^d County with the appurtenances to be by him

Liber C D kept during o^r pleasure We do therefore Comānd you and every of you that you be aiding & assisting to the s.^d Chr: Rousby as high Sheriff of our Said County in all things that to the office of high Sheriff of o.^r Said County do appertain Given at o^r City of S.^t maries under the Great &c T Charles Calvert 17.^o Aprill 1669

A writt of Diem Clausit extremum for Rozer

Cæcilius &c To our Trusty & Welbeloved Henry Adams & ffrancis Pope because we are Informed that Symon Overseer late of this Province dec.^d was at the time of his Death Seized of divers Lands & Tenem.^{ts} in o.^r County of Charles County within this our Province at the time of the Death of him the s.^d Symon had not nor hath any Visible heir to whom of Right the Same did or may or ought to descend whereby the s.^d Lands to us of Right belongeth & to our hands ought to come by way of Escheat, We do therefore hereby require and Authorize you that by the Oath of 12 Good & Lawfull men of o^r Co^{ty} of Charles County by whom the truth of the matter may more fully appear you diligently Enquire what Lands the S.^d Symon Overseer dyed Seized of within our Said County & what day he dyed & who is his next heir & the Inquisition thereof by you distinctly and openly made to us in our Chancery without delay you Send under your Seals and the Seales of them by whom the s.^d Inquisition Shall be made & also this writt Wittness our Self at S.^t maries the Twentieth day of Aprill in the 37.th year of our Dominion over o.^r Said Province Annoq Domini 1669 Carville.

p. 404
(fol. 527)

Sheriff's Patent for Balt.^e County

Directed to Nathan.^{ll} Styles Gen^t as before to Chr Rousby for Calvert County T 1.^o maij 1669

Writt of assistance for the Same as before

Sher Patent for Annarund.^{ll} Co.^{ty}

Directed to Thomas Stockett Gen^t as before

Writt of assistance for the Same ut Supra

Sher Patent for Chas County

Directed to Benjamin Rozer Gen^t as before

Writt of assistance for the Same as before

Sher Patent for Kent County

Directed to Thomas Ingram Gen^t as before

Writt of assistance for the Same as before

Sher Patent for Talbot County

Directed to Richard Tilghman Gen^t as before

Writt of discharge for the Same directed to W.^m Coursey Gen^t as before Cal County

Writt of assistance for the Same as before

Sher Patent for Som^rset County

Directed to Randolph Revell Gent^t as before

Writt of discharge for the Same directed to George Johnson as before

Writt of assistance for the Same as before

Sher Patent for Dorch.^r County

Directed to Thomas Taylor Gent^t as before

Writt of discharge for the Same directed to Raymond Staplefort as before

Writt of Assistance for the Same as before

Teste all 1.^{mo} maij 1669

Emerson Richard p.^{lt} Preston Richard def.^t to appear 1.^{mo} Junij (fol. 528)
69 Teste 12.^o maij 69 M^r Moorecroft

Long con Baker Sp:

A Comi^{co}n to take the Answer of William Baker to a Bill Exhibited by John Long p.^{lt} directed to Henry Adams ffrancis Pope Thomas Notley & Benj.^a Rozer Gent^t Retur 1.^{mo} Junij 69 T 11.^{mo} maij 69

Long con Storey vid et Baker

A Comi^{co}n directed to the Same Com.^{rs} to take the Answ.^r of Eliz.^a Storey & W.^m Baker ret & T ut Supra m.^r Rozer

Spa

Runnings John p.^{lt} John Stokes, John Hunt & John Mott def.^{ts}
ret 1.^{mo} Apr 1669 T 11.^o maij m.^r morecroft

A Ne Exeat Regnum p Runnings Con Hunt & al

Cæcilius absolute Lord & Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltemore &c To the Sheriff of Calvert Co.^{ty} Greeting Whereas Comp.^{lt} is made to us y.^t that John Stokes, John Hunt & John Mott do keep & detain divers Servants belonging to John Runnings by him Shipped on the Shipp W.^m & Ann belonging to the City of Bristoll in England to be transported into this Province & them doth refuse to deliver according to Agreem.^t by them made w.^{ch} the s^d John Runnings for w.^{ch} the Said John Runnings hath Exhibited his Bill in our Court of Chancery for his Relief therein & they the S.^d John Stokes John Hunt & John Mott being Strangers & fforaigners in this Province & no Inhabitants & are upon departure from this our Province & may depart hence before they have Answered to the Bill by the Said John Runnings Exhibited ag.^t them & thereby no Redress or Reliefe can be had therein for the S.^d John Runnings, These are therefore to Re-

Liber C D quire you that you take the Bodys of them the S.^d John Stokes, John Hunt & John Mott if found within your Bailiwick & them safely keep till they Enter into a Recognizance in our Said Court of Chan.^{ry} with Sufficient Sureties not to depart this Province till they & Every of them have Answered perfectly and fully to the Said Bill & also to perform what our Said Court Shall determine therein Wittness our Self at S.^t maries the 11.th day of may 37.^o Cæcilij Annoq̃ Dñi 69 Carvile

p. 405
(fol. 528)

M.^r Morecroft A diem Clausit Extremum for m.^r Slye of y.^e Estate of Sañl Smith deēd

Cæcilius absolute Lord and Prop.^{ry} of the Provinces of maryland & Avalon Lord Baron of Baltemore &c To our trusty & welbeloved Henry Adams & ffrancis Pope Gent Greeting We Command ye that by the Oaths of Twelve honest and Legall men of our County of Charles County by whom the truth of the matter may more fully be known diligently you Enquire what Lands or Tenem.^{ts} Samuell Smith late of Cowe Spring in our Said County held of us as well in Demeasne as in Service in our Said County the day he deēd & how much of others & by what Service & what the value of the Lands & Tenem.^{ts} is by the year in all issues & who is his next heir & of what age, and who or whom those Lands or Tenem.^{ts} from the Death afores.^d hath Occupied and the issues and profits taken thereof by what Title & in what manner & how much thereof is held of us & the Inquisition thereupon distinctly and openly made to us in our Chancery und^r your Seales and the Seals of them by whom it was made without delay Send ye and this writt Wittness our Self at S.^t maries the third day of June in the 37.th year of our Dominion over Said Province Annoq̃ Dñi 1669 Carvile

Bayly con Staplefort Sci: fac ꝑ T or.^d made known by Tho: Taylor Sheriff

Cæcilius absolute Lord and Proprietary &c To the Sheriff of Calvert County Greeting Whereas by an Order made at o.^r Prov.^{ty} Court held at S.^t maries y.^e 5.th day of Aprill 1666 Between John Bayly p.^{te} & Raymond Staplefort def.^t It was Ordered that the plantation & Land and all houses & appurtenances thereunto belonging w.^{ch} the p.^{te} and def.^t purchased of one William Jones Called by the name of Taykerby Scituate upon Putuxent River in our Said County Should be divided between the p.^{te} & defend.^t by writt of Division We Command you that by honest and Lawfull men of your Bailiwick you make known to the Said Raymond Staplefort that he be before us in our Court of Chancery the nineteenth day of October next Comeing whosoever it Shall then be then and there to Shew Cause if any he have or can Shew why a writt of Division Sho.^d not issue out of our Said Court for the Dividing the Said Lands & p^rmisses Between the p.^{te} and defend.^t according to the Said Order

(fol. 529)

& have you there the names of them by whom you made this known unto him & this writt Wittness our Self at S.^t maries the 10th day of June in the 37.th year of our Dominion over our Said Province Annoq Dom 1669

Liber C D

Carvile

Rousby and Peirce Injunction

Cæcilius &^c To John Peirce to his Cuncello.^{rs} Attorneys Agents and Sollicito.^{rs} & to Every of them Greeting Whereas we were Informed in o.^r Court of Chancery y.^e 4.th day of June Instant on the behalf of Christopher Rousby and Eliz. his wife p.^{lts} ag.^t thee def.^t y.^t y.^e p.^{lts} having Exhibited their Bill of Comp.^{lt} into our s.^d Court to be Relieved ag.^t an acōn at Law by thee brought ag.^t the p.^{lts} to w.^{ch} Bill thou didst Crave time till the next Co^{rt} to put in an Answer & the Same was Ordered accordingly & that our writt of Injun^{cti}on Should issue out of our Said Court to Stay the proceedings at Law till thou hast answered the Said Bill, whereof we takeing due Considera^{ti}on do hereby Strictly Charge and firmly Enjoyne thee the s.^d John Peerce & you his Cuncello.^{rs} Attorneys Agents and Sollicito.^{rs} & Every of you und.^r the pain of five hundred pounds Sterling to be Levved on your Goods and Chattles Lands and Tenem.^{ts} to our use that from henceforth you stay Surcease and forbear all further prosecu^{ti}on whatsoever at the Co^mon Law ag.^t the p.^{lts} upon the Said acōn or for or touching any other matter in the Said Bill Complained of untill you the Said def.^t Shall put in a full and p^rfect Answer to the Said Bill & this Court take other order to the Contrary Wittness our Self at S.^t marys y.^e 10.th day of June in the 37.th year of our Dominion over our Said Province Annoq Domini 1669

p. 529
(fol. 529)

Comi^{ti}on to take y.^e oath of Justices of Kent County

Cæcilius & To our Trusty and Well beloved Robert Dunn & John Vicaris Gent Greeting Whereas we have lately by our Comision und.^r our Great Seale of our s.^d Province nominated Constituted and appointed you the S.^d Rob.^t & John & the Severall other psons in^t the S.^d Comison named to be Com.^{rs} & Justices for the keeping our peace in & for our County of Kent County with full power & Authority to keep our County Court there at Such days and times as by y.^e Law in that Case made as Provided Now know ye that we Reposeing Great Trust and Confidence in yo.^r fidelities & Provident Circum- Spe^{ci}ons have assigned you and by virtue of these presents do Give unto you full power and Authority (you the said John Vicaris having first taken the usuall oath of Com.^r & Justice of the peace of our Said County upon the holy Evangelists w.^{ch} Oath we do hereby Impower and Authorize you the S.^d Rob.^t Dunn duely to Administer & you the s.^d John having Reced & taken the s.^d Oath we do hereby Authorize you to Administer the like Oath of Com.^r and Justice of the

Liber C D
(fol. 530)

peace of our Said County to him the Said Robert Dunn w.^{ch} being done & pformed that then ye Call & Cause to Come before you y^e other psons in the S.^d Comiçon nominated & appointed to be Com.^{rs} & Justices of the peace of our Said County & duely and truely administer unto them & every of them Joyntly or Severally the Said Oath of Com.^r & Justice of the peace of o.^r Said County they also takinge the Same upon the holy Evangelists the Teno.^r of w.^{ch} Oath we Send you herewith And when you have So done We do will and Comānd you that ye do under yo.^r hands and Seales Certifie us of your whole proceedings herein without delay into our Court of Chancery wheresoever it Shall then be Together with this writt Wittness our Self at S.^t maries y^e 19.th day of June in the 37.th year of our Dominion over our S^d Province Annoq̃ Domini 69 by Cæcilius & Carville

[A marginal note referring to the words underlined above reads:] y^e oath form.^{ly} sent & to leave that out in all other Comiçons.

Spā to Testifie

Henry Coursey Esq̃ Thomas Pritchett & John Stevens for Joseph Edloe def^{ts} aḏs John Hulfert p.^{lt} ret without delay und.^r paine of C: T 24^o Junii

Spā

The same as above

Spā

Bayly John p.^{lt} Raymond Staplefort def.^t ret 19.th Octob.^r T 26th June 1669

Spa

Bayly John p.^{lt} Charles James def.^t to app.^r 19 Oct Test 27.th July 1669

A sp.^{ll} Supplicavit for W.^m Dorrington ag.^t Tho.^s manning
Not made use of

Cæcilius absolute Lord and Prop.^{ry} of the Provinces of maryland & avalon Lord Baron of Baltemore &^c To the Sheriff of Calvert Co.^{ty} Greeting William Dorrington of Calvert County af.^d Gent has Supplicated us on the behalf of Sarah Dorrington his Daughter & an Infant under age to wit of the age of 12 years ag.^t Thomas Manning of the Same County Gent that Whereas the Said Thomas Manning did about the 20th day of July last past by force of Armes assault wound beat & Evil Intreat the Said Sarah Dorrington & doth still threaten to assault wound beat & Evil Intreat her So that the Said W.^m Dorrington is afraid of her life or Loss of Limbs We willing to provid for the Security of the Said Sarah & takeing due Consideraçon of the said Supplicaçon Do Comānd and firmly Enjoyn thee that thou take of the s.^d Thomas manning Good and Sufficient

p. 407
(fol. 530)

Security by Recognizance Such as thou wilt Answer for to us who will undertake for him the Said Thomas every of them the Said Principall & Security in the Sum of 4^l Sterl to be Levved of their Goods and Chattells Lands & Tenem.^{ts} wheresoever they Shall be found within this Province to our use and if the Said Thomas Manning do refuse to Give Such Security as aforesaid that then thou take the body of the S^d Thomas Manning & him Safely keep untill he shall find and Give Such Security as afores.^d or we give thee other Command to the Contrary and that thou Certifie us in our Court of Chancery without delay wheresoever it Shall then be of the names of the Said Bayle or Security & of thy whole proceedings herein openly and distinctly under thy hand and Seale and this thou mayst in no wise omitt under the pain of 4.^l Sterl Witness our Self at S.^t maries the Eleventh day of August in the Eight thirtieth year of our Dominion over our Said province Annoꝝ Domini 1669

Liber C D

R Carville

a melius Inquirend upon Symon Oversee's Estate p B: Rozer

Cæcilus &c To our Welbeloved Henry Adams and ffrancis Pope Gent Greeting where by an Inquisicōn taken before you by virtue of our writt of Diem Clausit extremum & by you Returned into our Court of Chancery it is made appear that Symon Oversey of Charles County dec.^d in the Said Inquisition named the day he dyed was possessed of 1000 acres of Land on the East Side of Portoback Creek w.^{ch} had Since his death been and Remained in the possession of Edmund Lindsey & a piece of Land by him demised & lett out to John Caen & at his Death in the Tenure & Occupation of the Said Caen & 550 acres Called Rotterdam near Nangemy Indian town w.^{ch} is all that to yo^r knowledges he dyed possessed of And that to their knowledge he left no heir to whom the S^d Lands Sho^d descend And because you have not Specified in your Inquisition what Estate or Right the Said Symon Oversey dyed off in the S.^d Severall & Respective Lands & Tenem.^{ts} & of who or of whom the Same were Severally & respectively held & by what Severall & Respective Tenures or Services & of what man.^r or manno.^{rs} & under what Rents and Services the Same were So Sev^rally & Respectively held nor when the Said Lease was made to Caen or for what Term or under what Rent Reserved We thereof to be by you more fully Certified do Comānd you that by the Oaths of twelve honest and Legall men of our s.^d Co.^{ty} of Charles Co.^{ty} as well within Libertys as wthout by whom the truth of the premisses may be the better known you do enquire what Estate or Right the S.^d Symon Oversey dyed Seized of in the S.^d Severall & respective Lands & Tenem.^{ts} & of who or of whom the Same were Sev^rally & Respectively held & by what tenure or Services & of what manno^r or manno.^{rs} & und.^r w^t rents & Services

Liber C D y.^e Same were So Severally and Respectively held & when the S^d Lease was made to Caen & for what Terme & und.^r what Rent Reserved & the Said Inquisition So taken you do distinctly & openly return to us in our S.^d Court of Chan.^{ry} without delay wheresoever it shall then be under your Seales and the Seales of them by whom the Same was made together with this writt. And we do also by virtue of these presents Comānd our Sheriff of the Said County that at Such Certaine days and places as to you Shall Seem Expedient & w.^{ch} to him you shall make known he Cause to Come before you Such and So many honest & Legall men of his Bailywick as well within Liberties as without by whom the Truth of the premisses may be better known and found out Wittness our Self at S.^t maries p. 408
(fol. 53^r) the 23^d day of August 38 Cæcilij Annoꝝ Domini 1669

Carvile

Blomfield John con Gardner Luke & Scire facias
ret made known

Jo: Jarbo Sher

Cæcilius &^c To the Sheriff of S.^t maries County Greeting Whereas by the Comp.^{lt} of John Blomfield & Elizabeth his wife lately Called Elizabeth Barbier adm.^{rx} of the Goods & Chattells of Luke Barbier of Newtown in our Said County of S.^t maries dec.^d that the s^d Luke Barbier in his life time had by the assignment of W^m Rosewell 1000 acres of Land parcell of a Certain warrant of 1500 acres of Land Granted to the Said William Rosewell by our Dear Son Charles Calvert Esqꝝ our Lieuten.^t Gen.^{ll} of this Province to be taken up in this Province in any place whatsoever where there was not any former Survey nor Reserved to our use By virtue of w.^{ch} warrant and assignm.^t the Said Luke Barbier in his Life time by the Survey of John Lewger Deputy Surveyo.^r for those p.^{ts} Lawfully Constituted & appointed had Surveyed for him the Said Luke 400 acres of Land w.thin our Co.^{ty} of S.^t maries County in a place there Lying on the East Side of the main branch of Choptico bay about four or five miles from the wading place Called East ham & of y^e Same Survey made a Certificate bearing date y.^e 12th day of novemb^r 1665 as by the Certif.^e thereof under the hand of the Said John Lewger Entred upon Record in the Secretarys office at S.^t maries & there Remaining may appear Since w.^{ch} Luke Gardner of

in our Said County of S.^t maries haveing Got a warrant from our Said Lieuten^t Gen.^{ll} for the Seating and taking up of Certain Lands in our s.^d Province did by Colour of the S.^d Warr.^t & by the Survey of the Said Lewgers return into our Said office at S.^t maries a Certificate thereof in the year of our Lord 1667 & hath by Collusion obtained a Patent under our Great Seal to himself to the Great Damage and Injury of the Said John and Elizabeth
(fol. 53²)

Now forasmuch as we were deceived in our Said Grant and the S.^d Luke Gardner having Surreptitiously & by Collusion Gotten the Said Grant by a Surprizall of o.^r S.^d Lieu.^t Gen.^{ll} And we being willing that Justice Should be done to the Said John and Elizabeth in that behalf according to Right & the Constitution of o^r Province We do therefore Command you that by Good and honest men of your Bailywick you make known to the Said Luke Gardner that he be before us in our Provinciaall Court the nineteenth day of October next & to bring with him the Said Patent and Grant & to Shew Cause if he Can why the Said Patent Should not be Vacated & adnulled that So our Justices may proceed to do therein as to them Shall Seem to be Agreeable to Good Right & Justice & have you there this writt Wittness Cæcilius &^e 25.^o August 1669

Liber C D

Carville

Spā

Robert Page to appear 19.th Oct a^{ds} ffrabian Ovine T 26 Aug.^t 1669

Spā

Daniell Jenifer & mary his wife to app: 19th Oct a^{ds} ffrancis Gunby T: 28.th August

Spā

Rich. Bayly to appear 19.th Oct.^r a^{ds} Humphrey Lymbrey T 28 Aug.^t

John Edmondson an ad q.^d Damnum

Cæcilius &^e To the Sheriff of Talbot County Greeting We Co^mand thee that by the Oaths of Twelve honest & Legall men of thy County by whom the truth of the matter may be better known diligently there Enquire if it be to the damage of us or others if we Grant to John Edmondson of the Same County merchant ten acres of Land Lying at the head of miles River in the Said County of Talbot on Each Side of the Runn of the Runn of water Running there Together with Liberty and Licence therein to Sett a Certain water mill as also Liberty to take fell Cutt down & Carry away by land or water any wood or Timber fitt for building of a mill other then timber fitt for to Splitt into Clapboards upon any y^e Lands adjoining to the Said ten acres of Land on Each Side of the Said Runn of water at the head of miles River af.^d in the County afores.^d & if it be to the damage & p^rjudice of us or other then to what damage and p^rjudice of us & to what damage & p^rjudice of others & of whom & of how & in what manner and how & of who & of whom y.^e afores.^d ten acres are holden & by w.^t Service & in what manner & how & of what value they are by the year according to the true value of them now before any further Improvement of the Said ten acres & who are the present possesso.^{rs} of the s.^d ten acres & who & how many are

p. 409
(fol. 53²)

Liber C D the measnes between us & the p^rsent possessor.^{rs} of the S^d ten acres & what Lands or Tenem.^{ts} Remain to the p^rsent possessor^{rs} over the Said ten acres & if the Lands Remaining to the p^rsent possessor.^{rs} over the S^d ten acres will Suffice to uphold their manno.^r viz^t the Sixth part of the manno.^r allotted by the Condiçion of plantaçons for y^e Demeasne as before the alienation for Building a mill and that the s.^d possessor.^{rs} in Assizes Jurys and Recogniçons may be put as before the alienaçon So that the County by the alienaçon afores.^d in default of the p^rsent possessor.^{rs} more than was wont be not Charged and Grieved And the Inquisition thereupon openly and distinctly made to us in our Chancery under thy Seale and the Seales of them by whom it was made without delay thee Send Wittness our Self at S.^t maries y.^e 28.th day of August in the 38th year of our Dominion over our Said province Annoꝝ Domini 1669

R. Carvile

Spā

Homewood John aḏs Oliver Holloway to Rejoyne & Joyn in Corniçon with the p.^{lt} ret 19.th Oct T: 28.th August

Spā

Benjamin Rozer aḏs John Robinson ret 14th dec

Spā

Walter Lane aḏs Samuëll Stone ret 15.th November being a Sp.^{ll} Court appointed for the Judges to meet

(fol. 533) Spā

John Edmondson at the Suit of James Shacklady ret 14th dec.^r

Replevin

John Pile at the Suit of John Rap Ret 14 dec

Josais ffendall ad q.^d damnum of Charles County Sued out a writt of ad quod damnum directed to the Sheriff of Charles County to Sett a water mill upon the Runn of water near the wading place in wicocomoco River Running Between Charles County and S.^t maries County with Licence on that Side of the s^d Runn of Water in Charles County to Sett the mill ret sine ditione Teste the 3.^d November 1669

The Same writt issued to the Sheriff of S.^t maries County

An Exemplificaçon of an Act of Assembly made in the year 1666 for Naturalization of Augustine Harman and others at the Request of the S^d Augustine Teste 7^o No: 69

Writt of Erro.^r Grammer and Brooke

Cæcilius &^c To the Com.^{rs} of our Court of Calvert County Greeting Because in the Records and process as also in the Rendring of Judgm.^t in the w.^{ch} was before you in our Said Court

Between John Grammer p.^{lt} and John Brooke def.^t in a plea of debt Liber C D
as it is Said manifest Erro.^r hath happened to the Great damage of
the Said John Grammer as by the Great Comp.^{lt} of the S^d John
Grammer We have Re^{ed}, we willing that the Erro.^{rs} if any be
Should in due manner be Corrected and full and Speedy Justice to
be done to the Said partys in this behalf We Command you that if
Judgm.^t thereof be Rendered then the Record & process of the plaint
aforesaid with all things touching the Same to us before our Justices
of our Provincia^l Court under your Seales distinctly and openly you
Send So that we may have them before our S.^d Justices of our
Provincia^l Court to be holden at our City of S.^t maries on the first
of the S.^d Court being the 19.th day of October next that Inspection
being had of the Record and proceedings therein we may Cause
further to be done what of Right and according to the Laws & p. 410
Customs of this our Province ought to be done therein and if the (fol. 533)
Said John Grammer Shall find before you Sufficient Security of
Satisfieing as well to us of those things w.^{ch} to us Shall appertain
as also the Said John Brooke of his damages to him in this behalf
adjudged if it Shall happen the first Judgm.^t to be affirmed and
further to do & Receive what our Said Court Shall in that behalf
Consider of them to do Execu^{ti}on of the Said former Judgm.^t you
altogether Supersede and that you Summon the s^d John Brooke to be
then and there to hear the Same & also that you have there this Writt
Witness our Self &c 28.^o 7.^{bris} 1669

Spā

Joseph Saunders a^{ds} ffancis Pyne ret 14.th dec

Spā

John Edmondson & Edward Keene a^{ds} Tho^s ffisher ret 14 dec

Spā

Humphrey Lymbrey a^{ds} Rich.^d Bayly ret 14 dec

Cowell p.^{lt} Sybrey def.^t

A Comi^{ti}on issued out to Examine Wittnesses directed to Rob^t
Slye & Kenelm Cheseldyne Gen ret without delay Test 4.^o Jan.^{ry}
1669

Spā

To testifie p Oliver Holloway ag^t John Homewood ret w.thout (fol. 534)
delay Test 4.th January 1669

Spā

ag.^t Edward Burton a^{ds} Edward Lerke ret 8th ffeb: T: 4^o Jan.

Spā

ag.^t Rich.^d Tilghman a^{ds} Rich.^d Brookes r^t & T ut supra

Liber CD Spā

ag.^t James Neale aḏs John Bayley y^e 8 ffeb: r^t 14.th ffebruary

Spā

ag.^t Jonathan Sybrey to head Judgm.^t y.^e 8.th ffeb: aḏs Benja^a
Corsell T 4 Jan. 69

Spā

ag.^t Andrew Cooke aḏs Henry Coursey & Christopher Rousby ret
8 ffeb. T: 4^o Jan:

Spā

ag.^t Nathaniell Utye aḏs ut Suprā

Spā

ag.^t John Edmondson aḏs Christopher Rousby ret 8 ffeb:

Woodbury a Warner

A Writt of Erro.^r issued out y.^e 7.th January 1669 directed to the
Com.^{rs} of S.^t maryes Co.^{ty} in the plaint between Andrew Woodbury
on the behalf of Cap.^t George Carwen p.^h Thomas Warner def.^t
after Judgm.^t obtained in that Court & Execution issued & one Jacob
a man Servant of the Said Thomas Warner taken in Execution
towards Satisfaction of the debt & damages in the writt of Execu^{ti}on
Specified

Thomas Warner & Thomas Courtney Giving in Security by
Recogn^d acknowledged before the Hon.^ble the Chancello.^r
in 4000^l Tob: Courtney in 2000^l Tob.^o to make Good the Erro.^r &
pay Cost if the Judgm.^t be Confirmed

Thereupon a Writt of Supersedeas the Same day issued to the
Sheriff of S.^t maries County to Supersede the Said Execution and
to Restore the Said Jacob to the def.^t Warner

Spā

ag.^t Zachariah Cooke & Mathew Steele aḏs John Wilson ret: 8
ffeb: T: 23 dec

Ne exeat Regnum ag.^t Wilson Hughes & Cooke

At the Same time issued out a writt of ne Exeat Regnum ag^t
Zachariah Cooke & Humphrey Hughes aḏs John Wilson

At the Same time y.^e like writt issued out to John Wilson at y.^e
Suit of Zachariah Cooke both directed to the Sheriff of Calvert
County.

The Sher tooke them upon the Said writts & brought them before
the Hon.^ble the Chancello.^r who remanded them into his hands till
they Give Sufficient Security

Sp.^a

ag.^t John Wiseman aḏs Rich.^d Mekins ret 8. ffeb:

Spā

Liber C D

ag.^t Rich.^d Keene a^ds Tho. ffisher ret 14 dec 69

Sp.^a

ag.^t John Neale a^ds John Bayly ret 8. ffeb :

Sp.^a

ag.^t John Bayley a^ds John Neale ret 8: ffebruary John Bayly p.^{lt} Raymond Staplefort defend.^t p. 411
(fol. 534)

A Speciall Comi^on to hear and Determine y.^e matter upon acc.^t in Rela^on to their Copartnership in a planta^on therein men^oned Directed to Christopher Rousby and Garrett Vansweringen for the p.^{lt} & Thomas Dent & Kenelm Cheseldyne Gent for the def.^t or any two of them whereof the S.^d Christopher or Garrett to be one for the p.^{lt} & the Said Thomas or Kenelm to be another for the def.^t to hear and Examine Wittnesses and determine the Cause if they Can and to Certifie this Court by the first day of Aprill next Teste the 2.^d of ffebruary 1669

Spā

Thomas Sprigg a^ds John Robinson ret 12.th Aprill

Spā

Richard Tilghman ads John Brookes ret 12.th Aprill ut Supra

Spā

Edward Burton a^ds Edward Leeke ret ut Supra

Sp.^a

Jacob Young ats Clause a^ds Abraham Jansey & al^s ret 12th Aprill

Spā

John Currer a^ds John Wright ret 12.th Apr 70

Spā

John Halfett at the Suit of Joseph Edloe ret w.thout delay T: (fol. 535)
11 June

Sp.^a

John Wright & his wife at the Suit of Tobias Wells ret 12th Aprill

Spā

Edward Pierce to Testifie for p.^{lt} ag.^t W^m Baker &
Elizabeth Storey def.^t ret Sine ditone

Cowell & Sybrey

A Commission to Examine directed to Robert
Slye & Kenelm Cheseldyne ret without

Liber CD Stone and Lane

A Comiſſion to hear and determine iſſued out ret without delay
no Return Suit ended.

A ne Exeat Regnum ag.^t Stone

Thurston Thomas to Testife inter Holloway & Homewood Test
9^o may

Replevin Calvert ag.^t Lewis

Cæcilius &c We Command you &c to be Replevyed thou Cause
to our Dear nephew William Calvert Esq one black Cow Cropped
on both Ears & two Slitts in Each ear with her Calf unjustly de-
tayneth &c Test 19.th July 1670

Lord Prop.^{ry} & John Blomfield account

Cæcilius &c^a To the Sheriff of S.^t marys County Greeting We
Comand thee that thou Justic: John Blomfield of mitcham Hall in the
County afores.^d that Justly without delay he make to us Reasonable
account for the time he was Receiver of the pence of us for Port
dutys & Rents of this our Province of maryland as Reasonably
Shewn may be which to us make he ought, Wittness our Dear
Brother Phillip Calvert our Chancello.^r of our Province of maryland
this 26 day of July in the thirty ninth year of our Dominion over
our Said Province of Maryland Annoq Domini 1670

Cha^s Calvert Esq p.^{lt} John Blomfield def.^t account

Cæcilius &c To the Sheriff of S.^t maries County Greeting we
Command thee that thou Justice: John Blomfield of mitcham Hall
in the Co^{ty} af.^d that Justly & without delay he make to our Dear Son
Charles Calvert Esq our Lieuten.^t of our Province of maryland him
reasonable account for the time he was Receiver of the pence of him
the Said Charles Calvert due as well for ffees due to the Secretarys
office of our Said Province as for an Imposition of Six pence p
fhhd for Every hogshhead of Tobacco due & Given by Act of our
Gen.^{ll} Assembly to o.^r S.^d Son as Reasonably Shown may be w.^{ch}
to him make he ought that no more yreupon Clamo.^r we may hear for
default of Justice Wittness o.^r Dear Brother Phillip Calvert Esq o.^r
Chancello^r of o.^r S.^d province of maryland this 26 day of July in the
thirty ninth year of our Dom.ⁿ over o.^r S.^d Province Annoq Dñi
1670

p. 412
(fol. 536) Certiorari to Dorch.^r Co^{ty} Court

Cæcilius & To the Commission.^{rs} of Dorch.^r County Court Greet-
ing Because a Certain Busiess concerning Hog Stealing by Ray-
mond Staplefort & Thomas Mitchell Surmised to be Committed
before you lately Entered is not yet determined the Record and
process of w.^{ch} Busiess Remains with you as it is Said & all w.^{ch}
by our Dear Son Charles Calvert & the Rest of our Justices of o.^r
Provⁿ Court we will have dispatched and determined We Comand

you that the afores.^d Record and process with all things these touching under your Seals distinctly and openly without delay you Send to our Said Justices and this Writt Wittness our Self the 29.th day of July in the 39.th year of our Dominion over our Said Province Annoq Domini 1670

Liber C D

Talbot County

Attach John Barnes for that he being duely Served to appear to Testifie for Joseph Edloe defend.^t at the Suit of John Halfhead p.^h hath not yet appeared to be Examined by the Oath of John Hunt ret 18.th October Test 1^o Augusti 1670

Sheriff's patent for Calvert Co^y

Directed to Christopher Rousby ut Supra in fol 403 Test 1^o Augusti

Writt of assistance the Same eodem die 1670
ret 18.th October Test 1^o Augusti 1670

Sheriff's Patent for Charles County

Directed to Benjamin ut Supra Teste 1.^o Augusti 1670
Writt of assistance as before

Sheriff's patent for S^t mary's County

Directed to John Jarbo ut Supra Teste 1^o Augusti 1670
Writt of assistance as before

Sheriff's patent for Som^rset County

Directed to Randall Revell ut Supra Teste 2^o Aug: 1670
Writt of assistance as before

Sheriff's patent for Baltemore County

Directed to Nathaniell Stiles ut Supra Teste 2^o Augusti 1670
Writt of assistance as before

Sp.^a

Against John Stevens to Testifie ex parte def.^t Inter John Halfhead p.^h & Joseph Edloe def.^t Teste 11.^o Augusti ret without delay under pain of one hundred.^h Sterling

Replevin

Cæcilius &c To the Sheriff of Talbot County Greeting We Comãd you that Justly and without delay to be Replevyed thou Cause to Joseph Sone one Iron Graplin w.^{ch} Robert Knapp unjustly detaineth as is Said & after him thereof Justly to be deduced thou Cause that no more thereupon Clamour we may have for defect of Justice Wittness &c 15.th Aug: 39.^d Dominion Annoq Dñi 1670

Comiçon peace Calvert County

(fol. 537)

Cæcilius absolute Lord &c To major Thomas Brooke, Tho: Sprigg Charles Brooke, John Abbington, Richard Perry, George Peake

Liber C D William Groome, Tobias Norton, Peter Sharpe William Berry Edward Keene, John Tawney and Robert Tyler of our County of Calvert Gent Greeting Know ye that we for the Great Trust and confidence that we have in your fidelitys, Circumspections, Providence & Wisdoms have Constituted Ordained & appointed & do by these p'sents Constitute Ordain and appoint you the Said Thomas Brooke, Thomas Sprigg Charles Brooke, John Abbington, Richard Perry, George Peake William Groome, Tobias Norton Peter Sharpe, William Berry Edward Keene, John Tawney & Robert Tyler Gent Com.^{rs} Joyntly & Severally to Keep the peace in the County of Calvert in the Said Province and to keep and Cause to be Kept all Laws and orders made for the Good & Conservation of the Peace and for the Quiett Rule and Governm.^t of the people in all and Every the

p. 413
(fol. 537) Articles of the Same and to Chastise and punish all psons offending against the form of any the Laws and Orders of this our Province or any of them in Calvert County af.^d as according to the form of the Said Laws and orders Shall be fitt to be done, We have also Constituted and Ordained you & Every four or more of you (of w.^{ch} you the Said Thomas Brooke, Thomas Sprigg Charles Brooke John Abbington, Richard Perry unless one of our Council be p'sent) to be one to be Commissioners to Enquire by the Oaths of Good and Lawfull men of your County aforesaid of all manner of ffelonys Witchcrafts Enchantm.^{ts} Sorcerys majick Arts Trespasses forestallings, Ingrossings & Extortions whatsoever and of all and Singular misdeeds & offences of w.^{ch} Justices of the peace in England may or ought Lawfully to Enquire by whosoever or whensoever done and perpetrated or w.^{ch} hereafter Shall happen to be done and perpetrated in the County aforesaid against the Laws & Orders of this our Province Provided that you proceed not in any of the Cases afores.^d to take life or member, But that in Every Such Case you Send the prisoners w.th their Indictment and the whole matter depending before you to the next Provinciaill Court to be holden for this our Province whensoever or wheresoever to be holden there to be tryed, And further we do hereby Authorized you to issue writts process arrests and attachm.^{ts} to hold plea of, hear and determine, and according to the Laws orders & Reasonable & Customs within this our Province after Judgem.^t Execution to award in all Causes Civil whether in Actions Reall or psonall where the thing in acōn doth not Exceed the value of three thousand pounds of Tobacco in which Causes Civil So to be tryed We do Constitute ordain and appoint you Thomas Brooke, Thomas Sprigg, Charles Brooke John Abbington & Richard Perry to be Judges as aforesaid unless Some one of our Council be then in Court & therefore We Command you that you diligently intend the keeping of the peace Laws & Order and all Singular other the premisses & at Certain days appointed according to Act of Assembly in that Case Provided and Such places which you

(fol. 538)

or any four or more of you as aforesaid Shall in that behalf appoint you make Inquiries upon the p'misses & p'form & fullfill the Same in form and doing therein that w.^{ch} to Justice appertaineth according to the Law Ord^{rs} & Reasonable Customs of this our Province Saving to us the Amerciam.^{ts} & other things thereof to us belonging, And ther[e]fore We Command the Sheriff of the Said County of Calvert, By virtue of these presents that at the days and places af.^d which you or any Such four or more of you as af.^d Shall make known to him to Give his Attendance on you and if need Require to Cause to Come before you or any Such four or more of you as af.^d Such and So many Good and Lawfull men of yo^r County by whom the truth in the premisses may the better be known & Enquired of and lastly we have appointed John Gittings Clerke & keeper of the Records and proceedings in this yo^r Co.^{ty} Court And therefore you Shall Cause to be brought before you at the Said days & place the writts precepts process & Indictments to your Court and Jurisdiction belonging that the Same may be Inspected and by a due Course determined, Given at our City of S.^t marys the third day of Septemb.^r in the nine and thirtieth year of our Dominion over our Said Province of maryland Anno^q Dom 1670 und.^r the Great Seale of our s^d province of maryland

Liber C D

p. 414
(fol. 538)

Comi^on to take the oaths of Justices of Calvert County

Cæcilius &c To our trusty & Welbeloved maj.^r Thomas Brooke & Thomas Sprigg Gent Greeting Whereas &c Know ye &c have assigned you (and by virtue of these p^rsents) Do Give unto you full power and Authority (you the s.^d Thomas Brooke having first taken the usuall Oath of Com.^r and Justice of the peace of our Said County upon the holy Evangelists w.^{ch} Oath we do hereby Impower you the Said Thomas Sprigg duly to administer and you the Said Thomas Brooke haveing Received and taken the Said Oath we do hereby Authorize you to Administer the like Oath of Com.^r & Justice of the peace to him the Said Thomas Sprigg w.^{ch} being done that then ye Call and Cause to Come before you the other psons in the S^d Comi^on nominated & appointed to be Com.^{rs} & Justices of the peace of our Said County & duly & truly to Administer to them Joyntly or Severally the Said Oath &c And when you have &c under yo^r hands & Seals to Certifie &c.

Teste 9.^o Sept 39.^o Domini 1670

Spa

John Browning of Baltemore County to Testifie in a Cause depending Between John Balley p.^{lt} and James Neale def.^t on the behalf of the plaintiff returnable Imediately Teste &c 10.th Sept 39.^o Dominion Anno Domini 1670

Liber C D Comission Peace S.^t marys County

(fol. 539) Cæcilius &c To Robert Slye, Thomas Dent, Luke Gardner Jean Jordan, Benjamin Solley, William Roswell, William Boreman, Richard Lloyd, John Warren and Henry Hyde, of our County of S.^t maryes Gentlemen Greeting Know ye that we for the Great Trust &c^a as in the Comiſſion for Calvert County Quorum Robert Slye, Thomas Dent, Luke Gardner, Jean Jordein Benjamin Solley, Clerke Walter Hall Teste 3.^d day of Sept 39.^o Domini 1670

Com.^{con} to take y.^e oath of y.^e Justices of S.^t maries County

Cæcilius &c To our Trusty and wellbeloved Robert Slye and Thomas Dent Greeting ut Supra in Calvert County mutatis mutandis Teste 9.^o Septembris 39.^o Domini 1670

Brookes Contra Tilghman Injunction

p. 415
(fol. 539) Cæcilius &c To Richard Tilghman & to his Councello.^{rs} attorneys agents and Solicitors & to Every of them Greeting Whereas we were Informed by our Court of Chancery the Twelfth day of Ap.^l last past on the Behalf of Nicholas Brookes plaintiff ag.^t thee def.^t that the plaintiff having Exhibited his Bill of Comp.^l into our Said Court to be Relieved ag.^t an Aſſon at Law by thee brought ag.^t the plaintiff to w.^{ch} Bill thou didst Crave time till next Court to put in an Answer and the Same was Ordered accordingly and that our writt of Injunſſion Should issue out of our S.^d Court to Stay thy proceedings at Law till thou hadst answered the Said Bill whereof we takeing due Consideration do hereby Strictly Charge and firmly Enjoyne thee the s.^d Richard Tilghman and you his Councillo.^{rs} and attorneys Agents & Sollicitors and Every of you under the pain of five hundred pounds Sterling to be Leavyed of yo.^r Goods & Chattles Lands and Tenements to our use that from henceforth you Stay Surcease and forbear all further prosecution whatsoever at the Common Law ag.^t the plaintiff upon the Said aſſon or for or touching any other matter in the Said Bill Complained of untill you the Said defend.^t Shall put in a full and perfect Answer to the Said Bill and this Court take other order to the Contrary Teste 16 Sept 39.^o Domini 1670

Replevin Thomas mathews ag.^t Walter Walterlin

Cæcilius &c To the Sheriff of S.^t marys County &c We Comand you that Justly and without delay to be Replevyed thou Cause to Thomas mathews of Charles County Gent one iron Gray mare which Walted Walterlin of S.^t maries County unjustly detaineth as is Said & after him thereof Justly to be deduced thou Cause that no more Clamour thereupon we may hear for defect of Justice Wittness o^r Self 29.th Sept 39.^o Domini 1670

Sp.^a

John Charles of Charles County to Testifie in a Cause depending between John Balley p.^l and James Neale def.^t on the behalf of the p.^l ret 19.^o Octobris next Teste 29.th Sept 39.^o Domini 1670

Spā

Liber C D

Henry Bonner Cæilius &c To Henry Bonner Greeting We Comand you that all Excusses Set apart you be and personally appear before us in our Court of Chancery the Eighteenth day of October next wheresoever it Shall then be to answer unto Such things as Shall be then And there objected against you by John Long Complain.^t in a Cause of Equity there depending upon a Bill of Revivor against you & Elizabeth your wife late Elizabeth Storey widdow & another defend.^t That our Chancello.^r and Justices of our Said Court hearing the Cause may do therein what of Right and according to the Laws of this province ought to be done and hereof fail not und.^r the pain of c^{ll} Sterling and have you there this Writt Wittness our Self at S.^t maries the thirtieth day of Sept in the nine and thirtieth year of our Dominion over our Said province of maryland Annoq̄ Domini 1670
Carville ꝑ Querente

Spa to test

Thomas Turner, William Bateman, Milchel Hill for Oliver Holloway against John Homewood ret Imediately Test Sixth Oct.^r 39.^o Dominii

Spa to Testiff:

Jonathan Hopkins for Oliver Holloway ag.^t John Homewood ret Imediate Teste 6.^o Octobris 39.^o Dominii

Adjournment of the Provinciall Court.

Cæilius &c To the Sheriff of S.^t maries County Greeting We Comand you that all and Singular our Writts and precepts to you delivered and before us the eighteenth day of this Instant Octob.^r by you then to be Returned you detain in your hands till the thirteenth day of December next and you have them before us at o.^r Provinciall Court with the Returns & Executions of the Same and this Writt that we may further proceed to the prosecution of the partys in the Same writts as of Right we Shall think Convenient to be done in this behalf and hereof you are to make publick Proclamation in yo^r Said County that all persons Concerned may keep their day at the s^d thirteenth day of December Wittness our Self &c 6.^o Octobris 39.^o Dominii 1670

Idem Mutatis mutandis to Kent	} Counties {	Baltimore
Calvert		Talbot
Aarundell		Somerset
Charles		Dorchester

Commission for the peace Charles County to Henry Adams
Thomas Mathews John Stone Quorum

Liber C D
(fol. 541)

Sp.^a

John Balley a^ds James Neale to Rejoyn ret 13^o Dec.^r Teste 19.^o Octobris 39^o Dominii

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(fol. 541)

Sp.^a

Jonathan Hopkinson John Wright def.^t ret 13^o Decembris
Teste 19.^o Octobris 39.^o Dominii to appear and Answer

Spā

Jonathan Hopkinson a^ds John Wright ret 13.^o Decembris Teste
19^o Octobris 39.^o Dominii to appear and Answer

Spā

Jonathan Hopkinson a^ds Richard Snowden to Answer 13.^o Decembris Teste
19.^o Octobris 39^o Dominii

Spā

Randolph Revell to Answer Edmund Beauchamp 13.^o Dec.^r Teste
15.^o Novembris 39.^o Dominii

a Certiorari to Certifie y^e proceedings of John Richardson

Cæcilius absolute Lord & Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltimore &c To our Dear Son Charles Calvert Esq^x Chief Justice of our Province of maryland Greeting Whereas John Richardson Tredavon Creek in the County of Talbot planter of the Death of mary his wife whereof he was Indicted late before you and your ffellow Justices of our Prov.^{ll} Court assigned at S.^t maries the fourteenth day of December in the Eight and thirtieth year of our Dominion was Impleaded and by the Inquisition of the Country upon w.^{ch} he thereupon put himself it was thereupon found that the s^d John Richardson killed the afores.^d mary his wife by misadventure for which the Said John to the prison of Talbot County was Remanded there to Expect our Grace and favo.^r as we are informed, We for that Reason of the Record and process of the Inquisition af.^d Willing to be Certified Command you that if it be So that the Record & process afores.^d with all things thereunto Relateing to us in our Chancery distinctly and plainly under your hand and Seale without delay you Send together with this Writt Wittness our Self at S.^t marys this 13.th day of December in the thirty ninth year of o^r Dominion Annoq^x Domini 1670

And the Said Charles Calvert Esq^x Chief Justice of the S.^d Province make Return of the S.^d Writt with the Record Annexed the Effect whereof is as followeth. At a Provinciall Court of the Right Hon.^{ble} Cæcilius absolute Lord and Prop.^{ry} of the Provinces of maryland and Avalon Lord Baron of Baltimore &c held at the City of S.^t maries the 14.th day of December in the 38 year of his

Said Lordship's Dominion over his Said Province of maryland Annoq Domini 1669 before his Lordship's Justices there to keep the peace assigned within this Said province & also to hear & Determine divers felonys murthers &c in the Said Province Perpetrated in the Records & process of the Same Court was thus written viz.^t

Liber C D
(fol. 542)

The Jurors for the Lord Proprietary do present John Richardson of Tredavon Creek in the County of Talbot for that he the S.^d Jn^o Richardson the 4.th day of Octob.^r in the 38.th year of his Lordship's Dominion at Tredavon Creek aforesaid upon Mary Richardson his then wife by force and Armes an assault did make that is to Say wth a Certain Tobacco Stick to the value of one penny Sterling w.^{ch} he the Said John Richardson did then and there hold in his hand upon the S.^d mary Richardson his then wife then and there in the peace of God and of the Said Lord Proprietary being Voluntarily and of his malice forethought did make an assault & the Same Mary his then wife then & there with the Said Stick feloniously did Strike So that by the Said Streake the Said Mary Richardson his then wife did Immediately fall to the Earth and the Said mary Richardson his then wife Instantly of the blow aforesaid dyed and So the Said John Richardson at Tredavon Creek aforesaid of his malice before thought the Said Mary Richardson his then wife did voluntarily feloniously and Wickedly kill & murder Contrary to the peace of the Said Lord Proprietary his Rule & Dignity Afterwards at the Same Provinciall Court to witt the Seventeenth day of the Same December in the year afores.^d Command was Given by the Same Court to the Sheriff of S.^t maries County to bring the S.^d John Richardson prisoner then in his Custody to the Barr of the Said Court who appearing in his proper person and holding up his hand at the Barr & he giving the Said Indictment Read Said he was not Guilty thereof & put himself upon the Country and the Said John Morecroft Attorney of the s^d Lord Proprietary who on the behalf of the Said Lord Proprietary followeth Likewise

p. 417
(fol. 542)

Wherefore Command was Given to the Sheriff of S.^t maries County afores.^d that he Cause Immediately to Come before the Justices of the Said Lord prop.^{ty} of his Said Provinciall Court to keep the peace assigned & to hear & Determine all ffelonies Trespasses Murthers and misdemeanors in the S.^d Province Committed Twelve Lawfull ffreemen of the Said Province to make a Jury to know the truth of the premisses because as well the Said John Morecroft Attorney of the Said Lord Proprietary who for the Said Lord Proprietary Prosecuteth in this behalf as also the Said John Richardson have put themselves upon the Same Jury

(fol. 543)

And afterwards the Same day to wit the Seventeenth day of the Same December in the year aforesaid Came the Said John Morecroft attorney of the Said Lord Proprietary who for the S.^d Lord

Liber C D Proprietary in this behalf prosecuteth and the Said John Richardson being again brought to the Barr of the Said Court & appearing in his proper person and the Jury afores.^d by the Sheriff of S.^t maries County being Impannelled and Called namely Thomas Cosden William Kent, John Cobreth, Jeremiah Markham, Thomas Hussey, Henry Hawkins, Richard Morris, Thomas Hinton, Sam.^{ll} Dickson, George Marshall, John Beale & John Heard Likewise Came

And the Said Indictment being then and there Read and y^e Wittnesses to prove the Said Indictm.^t to witt Penelope Evans, William Dell & Henry Swigott being Sworn and Examined to Speake the truth of their Sev^{all} knowledges about and Concerning the premisses being heard and the Said John Richardson (being Required to make his defence thereunto being heard likewise the Said Juro.^{rs} upon their oaths Say that the Said John Richardson is Guilty of misadventure

Signed

Charles Calvert

attestested thus

True Copy of the Record Examined
by me Thomas Cakewood Clke 1670

(fol. 544) Cæcilius absolute Lord and Proprietary of the Provinces of maryland and avalon Lord Baron of Baltemore &c To all Sheriffs Bailiffs and others to whom these presents Shall Come Greeting in our Lord God Everlasting Because we have understood by the Record of our Dear Son Charles Calvert Esq^r our Chiefe Justice of our Province of maryland and his fellow Justices of our Provinciall Court assigned that John Richardson of Tredavon Creek in the County of Talbot detayned in the prison of the Said County for the Death of mary his wife for which he was Indicted, killed the S.^d mary by misadventure and not by ffelony or malice forethought, We moved
p. 418
(fol. 544) with Piety have by these presents pardoned unto the Said John Richardson the Said manslaughter and Granted unto him our firm peace thereupon So notwithstanding that he Stand Right in our Court if anyone will him thereupon Implead, Given under our Great Seale at S.^t maries Wittness our Dear Son Charles Calvert Esq^r our Lieuten.^t and Chief Governo.^r of our Said Province of maryland this thirteenth day of December in the 39.th year of our Dominion over our Said Province of Maryland Annoq^o Domini 1670

Spā

Christopher Rousby a^{ts} William Hemsley to appear and Answer ret 14.^o february Test 17 Decembris 39.^o Domini

Comi^on Peace to Talbot County

Cæcilius &c To Richard Wolman William Coursey Philemon Lloyd Thomas South, Seth Foster, Thomas Hinton Phillip Stevenson James Ringold, William Hambleton, Jonathan Sybrey, Richard Gorsuch Edward Roe and John Wells Gent Know ye that we for the

Great Trust and Confidence, that we have in your fidelitys Circum-
 spections Providences and wisdoms have Constituted Ordained &
 appointed and by these presents do Constitute Ordain and appoint
 you the Said Richard Woolman William Coursey Philemon Lloyd
 Thomas South Seth ffoster, Thomas Hinson, Philip Stevenson James
 Ringold William Hambleton Jonathan Sybrey Richard Gorsuch
 Edward Roe and John Wells Gent Com^{rs} Jolynty and Severally to
 keep the peace in Talbot County in the Said Province and to keep &
 Cause to be kept all Laws and Orders made for the Good & Conser-
 vation of the peace and for the Quiett Rule and Governm.^t of the
 people in all and Every the Articles of the Same and to Chastise and
 punish all persons offending against the form of any the Laws (fol. 545)
 and Orders of this our Province or any of them in Talbot County
 aforesaid as according to the form of the Said Laws and Ord.^{rs}
 Shall be fit to be done, We have also Constituted and Ordained you
 & Every four or more of you (of which you the Said Richard
 Woolman Will.^m Coursey Philemon Lloyd and Thomas South un-
 less one of o^r Council be present are always to be one to be Comis-
 sion.^{rs} to Enquire by the Oaths of Good and Lawfull men of your
 County aforesaid of all manner of ffelonies Witchcrafts Enchant-
 ments Sorceries Magick Arts Trespasses fforestallings Ingrossings
 and Extortions whatsoever and of all and Singular misdeeds and
 offences of which Justices of the peace in England may or ought
 Lawfully to Enquire by whomsoever or whensoever demand per-
 petrated or w.^{ch} hereafter Shall happen to be done and perpetrated
 in the County af.^d against the Laws and Orders of this our Province,
 Provided that you proceed not in any of the Cases aforesaid to take
 life or member But that in Every Such Case you Send the prisoners
 with their Indictment and the whole matter depending before you to
 the next Provinciall Court to be holden for this our Province when-
 soever or wheresoever to be holden there to be tryed And further
 we do hereby athorize you to issue writts process arrests & attach-
 ments to hold plea of hear and Determine and according to the
 Laws Orders & Reasonable Customs within this our Province after
 Judgm.^t Execution to award in all Causes Civill whether in actions
 Reall or psonall where the thing in acōn doth not Exceed the value of
 three thousand pounds of Tobacco in w.^{ch} Causes Civil So to be
 tryed We do Constitute Ordain and appoint you the Said Richard
 Woolman William Coursey Philemon Lloyd and Thomas South to be p. 419
 Judges as afores.^d unless Some one of our Council be then in Court, (fol. 545)
 and therefore We Comānd you that you diligently Intend the keep-
 ing of the peace Laws and Orders and all and Singular other the
 p'misses and at Certain days appointed according to Act of Assembly
 in that Case Provided and Such places which you or any four or
 more of you as aforesaid Shall in that behalf appoint you make
 Enquiries upon the premisses and perform and fullfill the Same in

Liber CD form afores.^d doing therein what to Justice appertaineth according to the Laws orders and Reasonable Customs of this our Province
 (fol. 546) Saving to us the Amerciaments and other things thereof to us belonging, And therefore We Command the Sheriff of the Said County By virtue of these presents that at the days and places aforesaid which you or any Such four or more of you as aforesaid Shall make to him to Give his attendance on you, and if need Require to Cause to Come before you or any Such four or more of you as aforesaid Such and So many Good and Lawfull men of your County by whom the truth in the premisses may the better be known and Enquired of, And Lastly We have appointed William Hemsley Clerke and keeper of the Records & proceedings in this your County Court And therefore you Shall Cause to be brought before you at the Said days and place the Writts precepts process and Indictments to your Court and Jurisdiction belonging that the Same may be Inspected and by a due Course determined Given at our City of S.^t maries the 17.th day of December in the 39th year of our Dominion over the Said Province of maryland Annoꝝ Domini 1670 Wittness our Dear Son Charles Calvert Esqꝝ our Lieu.^t & Chiefe Governo.^r of our Said Province of maryland

December the 17.th 1670

Dedimus Potestatem then issued to Empower Richard Woolman and William Coursey Gent to administer the Oath to the aboves.^d Com.^{rs} Teste Eodem die

Sp.^a ag^t Ja^s Neale to Rejoyn & Joyn in Com.^{sion} w.th Jn^o Balley

Cæcilius &^c To James Neale Greeting We Comand you that all Excuses put aside you be & personally appear before our Justices of our high Court of Chancery on the fourteenth day of ffebruary next wheresoever it Shall then be to Rejoyn and Joyn in Comission with John Balley p^l ag.^t you defend.^t and further do and Receive what our Said Justices Shall Consider of in this behalf and thereof fail not on the pain of one hundred pounds Sterling and have you there this writt Wittness our Self at S.^t maries the 28th of Decemb.^r 1670 in the 39.th year of our Dominion over our Said Province

A writt of Diem Clausit Extremum for Lewis Estate

Cæcilius &^c To our Trusty and Welbeloved Henry Adams Gentl Thomas Mathews Gent in the County of Charles County Greeting We Comand you that by the Oath of Twelve Good and Lawfull men of yo.^r Said County of Charles County by whom the truth of the matter may better be known that you diligently Enquire what Lands & Tenem.^{ts} L^r William Lewis held of us in his Demeasne as of fee at the time of his Death of what manno.^r & by what Services and how much these Lands and Tenements are of value by the year in all issues and at what time the Said Lieutenant William Lewis dyed

and who is his next heir and of what age the heir is and who those Lands & Tenem.¹⁸ from the time of the Said Death of the Said Lewis have or doth Occupy and the issues and profits hath or doth Receive and by what title and how and in what manner and the Inquisition thereof distinctly and openly made to us in our Chancery under your hands and Seales and the hands and Seales of them by whom it shall be made without delay you Send &c. and this writt Wittness our Self at our City of S.^t maries the 5.th of January 1670
ne Exeat Provinciam versus Jn.^o Gilbert ads John Ingram

Liber C D
(fol. 547)

Security taken p Nathan.¹¹ Styles Sher

Cæcilius &c.^e To the Sheriff of Baltemore County Greeting Where-
as Complaint is made to us by John Ingram of Kent County Planter
that John Gilbert Late of Baltemore County merchant Sold unto
the Said John Ingram as a Servant a Certain person named Charles
Vincent who is Since appeared to our Justices of our Provinciaall
Court is a ffreeman, And Whereas for Relief in this Case the Said
Ingram hath Exhibited his Bill unto us in our high Court of Chan-
cery for this province of maryland for his Reliefe therein and the
Said John Gilbert is upon departure out of this Province and may
depart before he hath Answered to the Bill by the S.^d Jn.^o Ingram
Exhibited ag.^t him & thereby no Redress or Relief can be had
therein for the Said John Ingram, These are therefore to Require you
that you take the Body of him the Said John Gilbert if found in
your Bailiwick and him safely keep till he Enter into a Recog-
nizance in our Said Court of Chancery with Sufficient Securitys
not to depart this Province till he have Answered pfectly and fully
to the Said Bill and also to perform what our Said Court Shall
determine therein, Teste 19.th December 39.th year 1670

Spā

Versus John Gilbert ad Respondum inde Teste Eodem die ret
14.^o ffeb.^y p&

Spā

Versus George Harris and Sarah his wife & Morgan Williams
at the Suit of John Ingram & Hannah his wife ret 14^o ffeb: p&
Teste Eodem die

Ne Exeat Province John Wilson ats Rich.^d Bayley

Cæcilius &c.^e To the Sheriff of Calvert County Greeting Whereas
John Wilson late of your County merch.^t is Impleaded in our Pro-
vinciaall Court by Richard Bayley of the Said County Inholder for a
Certain debt of three thousand and one pounds of Tobacco due
from him the s.^d Wilson to the Said Bayley by the Bill and the Said
Wilson being a fforreigner & no Inhabitant of this Province is upon
Departure out of this Province and may depart before he hath

Liber C D Answered the Said Suit and paid the s^d debt to the Said Bayley These are therefore to Require you that you take the body of him the Said John Wilson if found in yo^r Bailywick and him Safely keep till he Enter into a Recognizance in our Said Court of Chancery with Sufficient Sureties not to depart this Province till the Said Suit is Ended Teste 19.^o Decembris in y.^e 39.th year 1670

Spā

Versas Jonathan Sybrey ad Audieñd Indicum ret 14.th ffeb. 7 & Teste Eodem die ad Sect Ben : Cowell

attach :

Versus Thomas Turner ad Sectum Oliver Holloway for not appearing to Testify inter Holloway & Homewood as by Spā he was Commanded ret ut Supra Teste ut Supra

(fol. 548) Subpcena to hear Judgment Bonner & Long

Cæcilius &^e To Henry Bonner & Elizabeth his wife & William Baker Greeting We Command you that all Excusses Set apart agst you be & psonally appear before us in our Court of Chancery y.^e 14.th day of ffebruary next following wheresoever it Shall then be to hear Judgm.^t in a Certain Cause there depending between John Long merchant p.^{1t} and you the Said Henry Elizabeth & William defend.^{ts} that our Justices of our Said Court hearing the Cause may do therein as according to Justice and the Laws of this Province ought to be done And this you may in no wise omitt under the pain of C.¹¹ Sterling Wittness our Self Teste Jan : 5.th 1670

p. 421
(fol. 548)

Sp.^a audiend Judic

The like issued out against Joseph Edloe to hear Judgm.^t in the Suit depending between him and John Halfehead Teste & Ret ut Supra

Spā

Cæcilius &^e To Christopher Birkhead Greeting We Comānd you that all Excuses Set a part you be and personally appear before us in our Court of Chancery the fourteenth day of ffebruary next Coming whereSoever it Shall then be to Answer to Such things as Shall be objected ag.^t you by Abraham Herman Comp.^{1t} in a Cause of Equity depending before the Justices of our Said Court against you defend.^t that our Said Justices hearing the Cause may do therein as according to Justice and the Laws of this Province ought to be done and this you may in no wise omitt under the paid of C.¹¹ Sterl Teste 6.^o Jan : 1670

Sp.^a

Liber C D

Versus Sarah Thoursony widdow and Nicholas White def.^t at Suit
of Samuell Winslow ret 14.^e ffeb: p p

Certiorari Baker & Cressy atds Stone

Cæcilius &c To our Trusty and Welbeloved James Lindsey Zachary
Wade Joseph Harrison Henry Adams and Thomas Mathews Greet-
ing Whereas we lately out of the Comp.^{lt} of John Stone accepting
that in y^e Record and process and also in the Rendring of Judgm.^t
in the plaint w.^{ch} was in our Court of Charles County before you
our Said Justices there Between Thomas Baker and Samuell Cressy
assigns of Samuell Harris and John Stone def.^t manifest Error.^r
hath Intervened to the Great damage of the Said John Stone and that
Records and processe for Correcting Such like Error.^r before our
Justices of o.^r Prov.^{ll} Court we have Caused to be brought and out
of our Said Court on the behalf of the Said John Stone we have
accepted that Whereas in the Record afores.^d amongst other things
it is Contained thus, Thomas Baker & Samuell Cressy attorneys and
assigns of Samuell Harris demand a Scire facias ag.^t m.^r John Stone
as well as administrato.^r of the Goods & Chattells of m.^r Richard
Stone, that Record is Diminished in this, for in the Record is not
Specified the Order of Court to warrant y.^e issuing out of the Scire
facias neither the writt of Scire facias it Self is Entred but is totally
omitted, also in the Latter of the Record it is Entred there Where-
upon at the request of the Said Baker and Cressey Execution was
issued forth against the body of the Said

(fol. 549)

wie far

our Said Justices nor yet Certify

Requir

directed to you to Certify the Said Order of Court

facias the writt of Scire facias and the writt of

Custody So Remaining w.^{ch} if So its' Granted Therefore

that Searching the Records of the Court held

the tenth of August

if So it be then y.^e af.^d orders for

Granting the s.^d Scire fac y.^e writt of Scire fac & y.^e Execucōn to o.^r

Justices of o.^r S.^d Prov.^{ll} Co.^{rt} to be held at S.^t maries y.^e 18.th day

of oct.^r you Send & this Writt Wittness o^r Self at S.^t

maries y.^e 16.th day of Ap.^{ll} in y.^e 38.th year of our Dominion over

our Said Province Annoq Dom 1670

This writt was Renewed and made Returnable the 14.th of ffebru-
ary next Teste 30^e December 1670

p. 422
(fol. 549)

Calvert County Comiōn of y^e peace

Cæcilius absolute Lord and Prop.^{ry} of the Provinces of maryland
& Avalon Lord Baron of Baltemore &c: To major Thomas Brooke
Charles Brooke, John Abbington Richard Perry George Beckwith
George Peake William Broome Tobias Norton Peter Sharp Will.^m

Liber CD Berry Edward Keen John Tawney and Robert Tyler of our County of Calvert Gentlemen Greeting Know ye that we for the Great Trust and Confidence that we have in your fidelitys Circumspections Providences and Wisdoms have Constituted Ordained & appointed and by these presents do Constitute Ordain and appoint you the Said Thomas Brooke Charles Brooke, John Abbington Rich.^d Perry George Beckwith George Peake, William Groom, Tobias Norton Peter Sharpe, William Berry, Edward Keene, Jo: Tawney and Robert Tyler Gentlemen Com.^{rs} Joyntly and Severally to keep the peace in the Said County of Calvert our Said Province of maryland and to keep and Cause to be all Laws and & Orders made for the Good and Conservation of the peace and for y^e quiet Rule and Government of the people in all and Every the Articles of the Same and to Chastise and punish all p^{ersons} offend against the form of any the Laws & Orders of this our Province or any of them in Calvert County aforesaid as according to the form of the Said Laws and Orders Shall be fit to be done We have also Constituted & Ordained you & Every four or more of you (of you the Said Thomas Brooke Charles Brooke, John Abbington Rich.^d Perry and George Beckwith (unless one of our Council be present) to To be Comi^{ss}on.^{rs} to Enquire by the Oaths of Twelve Good and Lawfull men of your County aforesaid of all manner of ffelonys Witchcraft Enchantments Sorceries magick Arts Trespasses, fforestallings Ingrossing and Extortions Whatsoever and of all and Singu and offences of which Justices of the peace in England

Provided that you proceed not
 (fol. 550) in any of the Cases aforesaid to take life or member but that in Every Such Case you Send the prisoners with their Indictm.^t and the whole matter depending before you to the next Prov^{ll} Court to be holden for this our Province whensoever or wheresoever holden there to be tryed, And further We do hereby Authorize you to issue Writts process arrests and attachm.^{ts} to hold plea of hear & Determine and according to the Laws Orders and Reasonable Customs within this our Province after Judgm.^t Execution to Award in all Causes Civil whether in Actions Reall or p^{ersonal} where the thing in Action doth not Exceed the value of three thousand pounds of Tobacco in w.^{ch} Causes Civil So to be tryed We do Constute Ordain and appoint you Thomas Brooke Charles Brooke John Abbington Richard Perry and George Beckwith to be Judges as aforesaid unless Some one of our Council be then in Court, And therefore We Command you that you diligently Intend the keeping of the peace Laws and Orders and all and Singular other the premisses and at Certain days appointed according to Act of Assembly in that Case Provided and Such places which you or any four or more of you as afores.^d
 p. 423
 (fol. 550) Shall in that behalf appoint you make Enquiries upon the premisses &

perform & fulfill the Same in form aforesaid doing therein that which to Justice appertaineth according to the Laws Orders and Reasonable Customs of this our Province Saving to us the Amerciaments and other things thereof to us belonging, And therefore we Command the Sheriff of the Said County of Calvert by virtue of these presents that at the days and places a^d w.^{ch} you or any Such four or more of you as afores^d Shall make known to him to give his attendance on you and if need require to Cause to Come before you or any Such four or more of you as afores^d Such and So many Good and Lawfull men of your County by whom the truth in the p^misses may the better be known and Enquired of, And Lastly we have appointed Francis Vincent Gent Clerke and keeper of the Records and proceedings in this y.^r County Court, And therefore you shall Cause to be brought before you at the Said days and place the writts precepts process and Indictments to your Court and Jurisdiction belonging that the Same may be Inspected and by a due Course determined Given at our City of S.^t maries under the Great Seale of our Said Province of maryland the Eight day of february in the nine and thirtieth year of our Dominion of our Said Province Annoq^{ue} Domini 1670 Wittness our Dear Son Charles Calvert Esq^{ue} our Lieuten.^t Gen.^l and Chief Governo.^r of our Said Province of maryland

Liber C D

Sp.^a

(fol. 551)

Versus George Thompson and margaret his wife
Richard Moy ret 14.^o feeb: 7 & Teste 10^o feeb: 1670

Mathias Decosta Supersedeas upon writt of Erro.^r

Cæcilius &^c To our Sheriff of S.^t maries County in the Province of [Maryland] Greeting because in the Record and process as also in the Rendring of in a plea which was before our Justices in our last Prov^l Court S.^t mares afores^d before the date hereof Between John Tulley p.^t and mathias Decosta def.^t as it is Said manifest Error hath happened to the Great damage of him the Said mathias Decosta And Whereas we have Commanded by our Writt of Erro^r the Record and process of the plea aforesaid to be had before the upper house of Assembly to be held at S.^t maries aforesaid the 14.th day of march next that we may Cause further to be done what of Right ought to be done in the premisses, and the Said Mathias fearing himself by Occasion of the Judgm.^t aforesaid to be Very much unquieted and vexed unjustly and we unwilling the Said Mathias to be injured in the premisses and because it is not agreeable to Right that any Execution upon the Judgm.^t afores.^d ag.^t him the Said mathias in anything Should be Executed, untill the Error thereupon (if any) Should be fully decided Therefore We Command you that as well from further taking arresting or in any

Liber C D wise mollesting by the Occasion afores.^d as from Causing to be made or Leavyed, any Goods or Chattells Lands or Tenem^{ts} of him the Said Mathias in Execution of the Judgm.^t afores.^d that the plea upon o.^r Said writt of Erro.^r be fully determined you altogether Supersede Wittness our Self at our City of S.^t maries y.^e tenth day of ffeb.^r in the 39.th year of o.^r Dominion over our Said Province of maryland Annoq Domini 1670 Robert Ridgely Reg.^r

p. 424
(fol. 551) Idem writt of Erro.^r
Cæcilius &.^c To our Justices of our Provinciall Court at S^t maries to be held and kept there the 14.th of this Instant ffebruary Greeting Because in Record and p^{ro}cess as also in the Rendring of Judgm.^t in a plea before you in our Said Court Between John Tulley p.^{ro} and mathias D defend.^t as it is Said manifest Erro.^r hath happened to the Great damage of the Said Mathias Decosta as by the Great Comp.^{it} of the Said mathias we have Received we willing that the Erro.^r if any be Should in due manner be Corrected and full and Speedy Justice to be done to the Said partys in this behalf We Comand you that the Record and p^{ro}cess of the plea afore with all things touching the Same distinctly and openly you Send So we may have them before the upper house of Assembly to be held maries the 14.th day of march next, that Inspection being had Record & proceedings therein, we may Cause further to be done w.^{ch} of Right & according to the Laws and Constitution of this our Province ought to be done therein, the Said mathias Decosta having Given Sec Satisfying as well to us of those things w.^{ch} to us in this behalf ap also the Said John Tulley of his Damages to him this behalf if it Shall happen the first Judgm.^t to be affirmed and further Receive what the Said upper in this behalf Shall do there this writt Wittness &c Test ut Supra

(fol. 552) [writ of dimi]nution [Stone] and Chessey
Cæcilius &c To our Trusty and Wellbeloved James Lindsey Zachary Wade, Joseph Harrison, Henry Adams & Thomas Mathews Greeting Whereas we lately out of the Comp.^{it} of John Stone accepting that in the Record and process & also in the Rendring of Judgm.^t in the plaint w.^{ch} was in our Court of Charles County before you o.^r Said Justices there Between Thomas Baker and Samuell Cressey assigns of Samuell Harris & John Stone defend.^t manifest Erro.^r hath Intervened to the Great damage of the Said John Stone and that Record & p^{ro}cess for Correcting Such like Erro.^r before our Justices of our Provinciall Court we have Caused to be brought & out of our Said Court on the behalf of the Said John Stone we have accepted that Whereas in the Record aforesaid amongst other

things it is Contained thus Thomas Baker & Sam.^{ll} Cressey Attorneys and assigns of Samuell Harris demand a Scire facias ag.^t m^r John Stone as well as administ.^r of the Goods and Chattells of m.^r Richard Stone that Record is diminished in this for in the Record is not Specified the Order of Court to warrant the issueing out the Scire facias neither the writt of Scire facias itself is Entered butt is totally omitted also in the Latter End of the Record it is Entered thus Whereupon at the Request of the Said Baker and Cressey Execution was issued forth ag.^t the Body of the Said Jn^o Stone for the Said Scire facias neither the writt of Scire facias itself is Entered butt is totally Omitted w.^{ch} Said Order for the Scire facias & the Said Writt of Scire ffacias & writt of Execution Remain in your Custody to our Said Justices not yet Certified in Requireing our Writt to be directed to you to Certifie the Said Order of Court for issueing out the Scire facias y.^e writt of Scire facias & the writt of Execution in yo^r Custody So Remaining which if So is Granted, Therefore we Command you as otherwise we have Commanded y.ⁿ that Searching the Records of the Court held the tenth of August 1669 if So it be then the aforesaid Order for Granting the Said Scire facias the writt of Scire facias and the Execution to our Justices of our next Provinciall Court to be held at S.^t maries the 17.th day of Octob.^r next you Send or Signifie the Cause thereof unto us and this writt under the penalty that Shall fall thereon Wittness our Self at S.^t maries the 18.th day of ffebruary in the 39.th year of our Dominion over our Said Province Annoq̄ Domini 1670

Liber C D

p. 425
(fol. 552)

JR John Rousby appears for Christopher Birkhead at the Suit of Abraham Herman in a Cause of Equity

JR Ditto appears for John Gilbert at the Suit of John Ingram

[Boug]hton & Emanson Error

Cæcilius &^c To the Commission.^{rs} of the Court of Charles County Greeting because in the Record and process as also in the Rendring of Judgm.^t and Granting Execution before you in our Said Court of Charles County ag.^t Richard Boughton at the Suit of Nicholas Emanson in a plea of Trespass upon the Case manifest Error hath happened to the Great damage of the S^d Richard Boughton as by the Great Complaint of the Said Rich.^d Boughton we have Reçed We Willing that if any be Should in due manner be Corrected and full and Speedy Justice to be the Said partys in this behalf we Command you that if Judgm.^t thereof Rendred then the Record and process of the Judgm.^t and Execution aforesaid all things touching the Same to us before o^r Justices of our Provinciall Court holden at our City of S.^t

(fol. 553)

Liber CD maries on the first day of the Said Court Seventeenth day
 of October next under your hands and Seals distinctly and openly
 you Send that Inspection being had of the Records and proceedings
 therein we may Cause furth.^r to be done what of Right and according
 to the Laws and Constitutions of this our Province ought to be done
 therein and that you Summon the Said Nicholas Emanson to be then
 and there to here the Same and also that you have there this writt
 Wittness our Self at o^r City of S.^t maries the Eighteenth day of
 ffebruary in the 39.th year of our Dominion over our Said province
 Annoq Dñi 1670

Boughton and Emanson Supsedeas

Cæcilius &.^c To the Sheriff of Charles County Greeting because
 in the Record and process as also in the Rendring of Judgm.^t &
 Granting of Execu^{co}n ag^t Richard Boughton at the Suit of Nicholas
 Emanson in a plea of Trespass upon the Case it is Said manifest
 Erro.^r hath happened to Grievous damage of him the Said
 Richard as out of his Comp.^{lt} we accepted as by the Record
 and process thereupon Between the partys afores.^d of that plea by
 virtue of our writt of Correcting the Erro.^r to our Com.^{rs} of Charles
 County Court directed & by them before our Justices of our Pro-
 vinciall Court to be holden at our City of S.^t maries on the first day
 of the Said Court being the Seventeenth day of October next under
 their hands and Seales to be Sent and because upon the Said Writt

Correcting of Erro^r the Said Richard hath put in Sufficient
 manucaptors for the appearance of him the Said Richard in our
 Provinciall Court before our Said Justices of our Provinciall Court
 on the S.^d Seventeenth day of October & So from day to day or at
 any day to him by our Said Court in the premisses p^fixed or to be
 p^fixed untill the Said Writt of Correcting Erro.^r Shall be determined
 & to Satisfie the Said Nicholas Emanson his debt and damages if it

p. 426
 (fol. 553) Shall happen the Said Richard the Said Seventeenth day of October
 or at at any other day by our Said to be

p^fixed Shall not appear or not prosecute with Effort
 Shall happen the Said Judgem.^t Should be affirmed there

Comand you that from further takeing arresting Imp
 or him by that Occasion any ways molesting
 you alto Supersede and if him the Said
 Richard for that Occasion you have taken
 him from the prison in which he is if upon
 that Occasion and no other he is detained without
 you Cause to be delivered upon peril thereon following Wi

Self at our City of S.^t maries the xviiith day of ffebruary
 xxxix.th year of our Dominion over o^r Said Province
 Annoq Domi

Writt of Erro.^r inter Burges & Hooper

Liber C D

Cæcilius &.^c To our Dear Son Charles Calvert Esq^r L.^t Gen.^{ll} and
Justice of our Said Province of maryland Greeting
Whereas we are Inf[ormed] that in the Record and proceedings also
in the Executing of a Certain Writt Inquiry of Damages &
the Giving of Judgm.^t upon a Certain depending
before you and yo.^r ffellow Justices of our Provinciall Court of
at our City of S.^t maries the fourteenth day of

December Henry Hooper p.^{te} William Bur-
ges [Thomas] Taylor & Samuell [Chew] there hath (fol. 554)
manifest Erro.^r Intervened to the Great damage of the Said Defen-
dants we willing that the Said Erro.^r (if any be) be in due manner
Corrected & that full and Speedy Justice in this behalf done to the
defend.^{ts} do Command you that if any Judgm.^t be Given you do
upon the fourteenth day of march next Comeing Send the Records
and proceedings of the Said plaint with all things Relateing thereunto
to us and our Council in the upper House of a Gen.^{ll} Assembly to
be then held at our City of S.^t maries that our Court of Assembly
may hear the Said Record and proceedings & the Erro.^{ts} then and
there to be assigned & alleadged and do therein as Shall be meet &
have you there this writt Wittness our Self at our City of S.^t maries
the Second day of January in the 39.th year of our Dominion over
our s.^d Province Annoq^{ue} dom 1670

Benjamin Cowell a ne Exeat Provincium Versus Jon.^a Sybrey

Cæcilius &.^c To the Sheriff of Talbot County Greeting Whereas
Complaint is made unto us on the behalf of Benjamin Cowell of
London merchant that Jonathan Sybrey of your Coun^{ty} planter being
by an Order & decree of our Court of Chancery bearing date the
Eighteenth day of ffebruary in the nine and Thirtieth year of our
Dominion over our Said Province Ordered Decreed & adjudged
that the Said Jonathan Sybrey Should Satisfie and pay to the Said
Benjamin the Summe of Twenty thousand pounds of merchantable
Tobacco & Cask with Reasonable Costs to be adjudged & the S.^d
Jonathan Sybrey being now to depart this province before he hath
Yielded Obedience to the Said decree & performed what is thereby
decreed by him to be presently done & performed These are therefore
to Require you that you take the Body of the Said Jonathan Sybrey
if found within your Bailywick and him Safely keep till he Give
Security w.th Sufficient Sureties in our Court of Chancery not to
depart this province till he have Yelided full obedience to the Said
Decree and performed all and Every the matters & things thereby
Enjoynd him to do and perform Wittness our Self at our City of
S.^t maries the Eighteenth day of ffebruary in the nine and thirtieth
year of our Dominion over our Said Province Annoq^{ue} Domini 1670

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(fol. 554)

Liber C D Upper House of Assembly

Cæcilius &^c To our Trusty and welbeloved our Dear brother Phillip Calvert Esq^r our Chancello.^r of our Said province of maryland Greeting Whereas for Severall weighty and Urgent Occasions & affairs Relateing to our Self and the State and defence of our Said province of maryland we have Determined and Ordained a Certain Generall Assembly of ours to be holden at our City of S.^t maries within our Said Province the Seven and Twentieth day of this Instant march there to Treat with you our Councello.^{rs} and the most Considerable persons of our Said province, We do will and Command you upon the faith which you owe unto us that the difficulties of our Said affairs and the Iminent dangers Considered all Excuses whatsoev.^r Set aside you be psonally p'sent at the day and place afores.^d with us our Councello.^{rs} and the afores.^d other psons of our Said province to treat of and to afford us yo.^r Council in Relaçon to the afores.^d affairs and this as you Love and Esteem us, our hono.^r and the Safety & defence of our Said Province you are no ways to Omitt Wittness our Self at our City of S.^t maries the Sixteenth day of march in the nine and thirtieth year of our Dominion over our Said Province of maryland Annoq^o Domini MDCLxx

The like writt issued unto his Said Lordship's Trusty and welbeloved his Dear Nephew S.^r William Talbot Baronet his Said Lordships principall Secretary of his Said Province of maryland returnable as before and dated the Same time.

(fol. 555) The like writt issued unto his Said Lordship's Trusty & welbeloved his Dear nephew William Calvert Esq^r returnable as before dated the Same time

The like writt issued unto his S^d Lopp's Trusty & welbeloved Baker Brooke Esq^r Returnable as before dated the Same time

The like writt issued unto his Said Lordship's Trusty & welbeloved Henry Coursey Esq^r Returnable as before dated the Same time

The like writt issued unto his S.^d Lordship's Trusty & welbeloved Thomas Trueman Esq^r Returnable as before dated the Same time

The like writt issued unto his S^d Lāp's Trusty and welbeloved Samuel Chew Esq^r Returnable as before dated the Same time

The like writt issued unto his Said Lordships Trusty & welbeloved Edward ffitzherbert Esq^r Returnable as before dated y^e Same time

Sp.^a

Liber C D

Versus John Homewood to Answer unto Charles James adm.^r of Leonard Strong deſed ret y.^e 17.th of 8.^{br} p & Teſte 18.^o martii 1670

Writt of Lower Houſe of Aſſembly

Cæcilius absolute Lord and Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltemore &c To Henry Adams of Charles County Greeting Whereas for Severall Weighty and Urgent Occaſions & affairs Relateing to our Self and the State and defence of our Said province of maryland, We have Determined & Ordained a Certain General Aſſembly of ours to be holden at our City of S.^t maries within our Said Province upon the Seven & Twentieth day of march now next Comeing there to treat w.th our Councillo.^{rs} and the moſt conſiderable pſons of our Said Province and Whereas it appeareth to us by a Certain Indenture Certified and Transmitted unto us by our Sheriff of our County of Charles County and bearing date the day of now laſt paſt that the ffreemen of our Said County of Charles County have Elected and Chosen you to be their delegate and Deputy and to be the Deputy and Delegate of our Said County and have Given you Authority under their hands and Seales to appear and Serve for the Said County as Deputy & Delegate for the Same in Such Generall aſſembly as Shall happen within one year then next Enſueing to be Called by us our heirs or Successors.^{rs} Lords and Prop.^{rs} of our Said Province in Caſe you Shall be thereunto Summomed by a particular writt to be for that purpoſe directed to you by us our Said heirs or Successors.^{rs} & to do & Conſent to thoſe things w.^{ch} then by the favo.^r of God Shall there happen to be Ordained by us by the advice and Conſent of our Great Council of our Said Province Concerning Such occaſions & affairs as Shall Relate to us or to the State or defence of our Province, We do will and Comand you that all Excuses whatſoever Set aſide you Come and appear pſonally at the Said day and place to do and Conſent to thoſe things w.^{ch} then by the favo.^r of God Shall there happen to be Ordained by us by the advice and Conſent of our Great Councill of our Said Province concerning the Occaſions and affairs afores.^d and this you Shall no wiſe omitt under the peril thereupon Enſueing Wittneſs our Self at our City of S.^t maries this Eighteenth day of January in the 39.th year of our Dominion over our Said province of Maryland Annoꝝ Domini 1670

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(fol. 555)

The like writt unto Ignatius Cauſeene of Charles County Gent to be a Delegate for the Said County, Teſte & ret Eodem die

Idem unto John Bolds for the Same County Teſte & ret ut Supra

Liber CD Idem unto Humphrey Warren Sen.^r for the Same Co.^{ty} Teste & ret ut Supra

(fol. 556) Supsedeas int Burges & Hoop[er] vide Writt of Erro.^r fol 426

Cæcilius &^c To the Sheriff of Annarundell County Greeting because in the Records and proceedings as also in the Executing of a Certain writt of Enquiry of Damages & the Giveing of Judgm.^t upon a Certain Plaint w.^{ch} in our Court before our Chief Justice & his fellow Justices of our Provinciaall Court held at S.^t maries the fourteenth day of December last past Between Henry Hooper p.^{ty} William Burges, Thomas Taylor & Samuell Chew defend.^{ts} there hath manifest Erro.^r Intervened to the Great damage of the S.^d Def.^{ts} as out of their Comp.^{lt} we have Excepted the Records and process of which Said Judgm.^t thereupon before us lately for Certain Causes we have Caused to Come And We being willing the Erro.^r (if any be) Shall be in due manner Corrected & full and Speedy Justice to be done to the parties aforesaid in this behalf We Comānd you that by honest & Lawfull men of yo.^r Bailywick you make known to the Said Henry Hooper that he be before us and our Councill in the upper house of Generall Assembly on the xiiii day of march next Coming to hear the Said Erro.^r and further to do & Receive that w.^{ch} we and our s.^d Councill in the upper house of the Generall Assembly Shall then Consider, and have you there the names of them by whom you make this known unto him, And have then there this Writt Wittness our Self at our City of S.^t maries the Second day of January in the 39.th year of our Dominion over our Said Province Annoq̄ Dom 1670

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(fol. 556)

Hattons Estate a Writt of Diem Clausit Extremum Inquisiçon ret fol 443

Cæcilius &^c To our Trusty and welbeloved Thomas Howell & James ffrisby Gent of our County of Baltemore Greeting We Comānd you that by the Oaths of Twelve Good and Lawfull men of your Said County of Baltemore by whom the Truth of the matter may the better be known & Inquired of that you diligently Inquire what Lands or Tenements John Hatton late of our Said County of Baltemore deceased of us in his Demeasne as of ffee at the time of his Death and of what manno.^r and by what Services and how much those Lands and Tenements are of value by the year in all issues and at what time the Said John Hatton dyed and who is his next heir and of what age the Said heir is and who those Lands and Tenem.^{ts} from the time of the Said Death of the Said Hatton have or doth Occupy and the issues & profits hath or doth Receive and by what Title and how & in what manner and the Inquisition thereof distinctly and openly made to us in our Chancery under your hands and Seales and the hands and Seals of them by whom it Shall be

made without delay you Send and this Writt Wittness our Self at our City of S.^t maries the fifteenth day of Aprill in the 39.th year of our Dominion over our Said Province Annoq Domini 1671 Liber C D

Sp.^a

(fol. 557)

Versus Sarah Thorsony widdow and Nicholas White to Answer unto Sam.^{ll} Winslow in a Cause of Equity the 17.th of 8.^{br} p & Teste S.^t maries 25.^o Aprill 1671

James Veitch ag.^t Rich.^d Smith writt of Erro.^r

Cæcilius &c To the Commiss.^{rs} of Calvert County Court Greeting because in the Record & p^{ro}cess as also in the Rendring of Judgment & Granting Execution before you in our Said Court of Calvert County ag.^t James Veitch at the Suit of Richard Smith in a plea of Trespass upon the Case manifest Erro.^r hath happened to the Great damage of the Said James Veitch as by the Great Complaint of the Said James Veitch we have Received we willing that the Erro.^r if any be Should in due manner be Corrected and full & Speedy Justice to be done to the Said parties in this behalf we Command you that if Judgm.^t thereof be Rendred then the Record & proofs of the Judgm.^t and Execution afores.^d with all things touching the Same to us before our Justices of our Provinciaall Court to be holden at our City of S.^t maries on the first day of the Said Court being the Seventeenth day of October next under yo.^r hands and Seales distinctly and openly you Send y.^r Inspection being had of the Records and proceedings therein we may Cause further to be done what of Right accordingly to the Laws and Constitutions of this our Province ought to be done therein and that you Summon the Said Richard Smith to be then & there to hear the Same & also to have there this Writt Wittness our Self at our City of S.^t maries the Seven & Twentieth day of Ap.^{ll} in the nine & Thirtieth year of o^r Dom.ⁿ ov.^r o.^r S.^d province of maryland Annoq Dom 1671

Supersedeas int Smith & Veitch

Cæcilius &c To the Sheriff of Calvert County Greeting Because in the Record & process as also in the Rendring Judgm.^t & Granting Execution against James Veitch at the Suit of Richard Smith in a plea of Trespass upon the Case it is Said manifest Erro.^r hath happened to the Grievous damage of him the Said James as out of his Comp.^{lt} we have accepted as by the Record & p^{ro}cess thereupon Between the parties afores.^d of that plea by virtue of our Writt of Correcting the Erro.^r to our Co^{mi}ssion.^{rs} of Calvert County Court and directed by them before our Justices of our Provinciaall Court to be holden at our City of S.^t maries on the first day of the Said Court being the Seventeenth day of Octob.^r next under their hands and Seales to be Sent and because upon the Said Writt of Correcting

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(fol. 557)

Liber CD of Erro.^r the Said James hath put in Sufficient Manucript.^{rs} for the appearance of him the Said James in our Said Provinciall Court before our Said Justices of our Provinciall Court on the Said Seventeenth day of October and So from day to day or at any day to him by our Said Court in the premisses p^rfixed or to be prefixed untill the Said writt of Correcting Erro.^r Shall be determined and to Satisfie the Said Richard Smith his Debt and Damages if it Shall happen the Said James the Said Seventeenth day of October or at any other day by our s^d Court p^rfixed Shall not appear or not p^rsecute
 (fol. 558) with Effort that it Shall happen the Said Judgm.^t Should be affirmed Therefore we Command you that from further takinge arresting Imprisoning or him by that Occasion any ways mollesting you altogether Supersede and if him the Said James for that Occasion and no other you have taken him from the prison in w.^{ch} he is So detained if upon that Occasion and no other he is Detained without delay you Cause to be delivered upon peril thereon falling Wittness &c 27.th
 Aprill 1671

Scarborough & Perry Spā

Cæcilius &c To Richard Perry Mary Bateman daughter & heir of John Bateman deceased Margaret Pery John Gittings, Thomas True-man and Mary yo.^r wife late widow of John Boague deced and Every and Either of you Greeting We Comand you that all Excuses Set apart you and Either and Every of you be and p^rsonally appear before us in our high Court of Chancery the thirteenth day of June now next Comeing wheresoever it Shall then be to Answer to Such things as Shall be Objected against ag.^t you by Henry Scarborough of London in the Kingdom of England merchant Comp.^{lt} in a Case of Equity depending before the Justices of our Said Court ag.^t you defend.^{ts} that our Said Justices hearing the Cause may do therein as according to Justice and the Laws of this Province ought to be done and this you may in no wise omitt under the pain of one hundred pounds Sterling apiece Wittness our Self at our City of S.^t maries the Twentieth day of Aprill in the nine and thirtieth year of our Dominion over our Said province of maryland Annoque Domini 1671
 Robert Ridgely Reg.^r

(fol. 559) A writt of Erro.^r int Veitch & Alderson

Cæcilius &c To the Sheriff of Calvert County Greeting Whereas you was lately Comanded by a writt of Execution issuing out of our Court of Calvert County bearing date the Second day of march 1669 to take the Body of James Veitch in Execution untill he hath made Satisfaction unto George Alderson of the Summe of four hundred and Eleven pounds of Tobacco as also nine hundred and Seventy pounds of Tobacco for Costs Expended in the Same Suit according to an Order of the Said Court made the first day of
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 (fol. 559)

february in the 38.th year of the Dominion of the Right Hon.^{ble} Liber CD
 Cæcilius &c.^c Annoq̃ Domini 1669 yet because it Sufficiently appears
 to us that our afores^d writt of Execution from our Court afores.^d
 most unduely and Erroneously issued therefore We Comānd you
 that you altogether forbear from takeing the afores.^d James Veitch
 or in any thing to mollest him by Occasion of the p^rmisses and if
 him the Said James Veitch upon that occasion and not otherwise
 you have taken then you Shall him p^rmit to go at Large Wittness
 our Self at our City of S.^t marys the fourth day of may in the nine
 and thirtieth year of o^r Dominion over our Said Province of mary-
 land Annoq̃ Domini 1671

Burges and Bowdell writt of Error

Cæcilius &c.^c To the Sheriff of Calvert County Greeting Whereas
 you was lately Comānded by a writt of Execution issuing out of
 our Court of Calvert County bearing date the 28.th day of Jan.^{ry}
 1670 to take the body of John Burges in Execution untill he hath
 made Satisfaction unto Thomas Bowdall of the Sumē of Two hun-
 dred & ten pounds of Tobacco as also nine hundred and fourteen
 pounds of Tobacco for Costs Expended in the Same Suit according
 to an order of the Said Court made the 11.th day of January in the
 39.th year of the Dominion of the Right Hon.^{ble} Cæcilius &c Annoq̃
 Domini 1670 yet because it Sufficiently appears to us that our af.^d
 writt of Execu^{ti}on from o.^r Co.^{ty} afores.^d most unduely and Erro-
 neously issued therefore We Comānd you that you altogether forbear
 from takeing of the aforesaid John Burges or in anything to molest
 him by Occasion of the p^rmisses and if him the Said John Burges
 upon that Occasion and not otherwise you have taken him then him
 you permitt to go at Large Wittness our Self at our City of S.^t maries
 the fourth day of may in the 39.th year of our Dominion over our S.^d
 Province of maryland Annoq̃ Domini 1671

Comicon of y^e peace Dorchester County

Cæcilius &c.^c To Daniell Clarke Winsmore John
 Brookes William Stevens Jun.^r, Henry Tripp, Steven Garey, Anthony
 Lecompt Bartholomew Ennalls & Henry Hooper Jun.^r Gentl Know
 ye that we for the Great Trust and Confidence that we have in yo^r
 fidelities Circumspecōns Providence & Wisdoms have Constituted
 Ordained and appointed and by these presents do Constitute Ordain
 & appoint you the Said Daniell Clarke Winsmore, John
 Brookes, W.^m Stevens Jun.^r Henry Tripp Stephen Garey Anthony
 Lecompt Bartholomew Ennalls and Henry Hooper Jun.^r Gentl
 Commission.^{rs} Joyntly and Severally to keep the peace in Dorchester
 County in the s.^d Province and to keep and Cause to be kept all Laws
 and Orders made for the Good and Conservation of the peace and
 (fol. 560)

Liber C D for the Quiett Rule and Governm.^t of the people in all and Every the Articles of the Same and to Chastise and punish all persons offending against the form of any the Laws & Orders of this our Province or any of them in Dorchester County aforesaid as according to the form of the Said Laws and orders Shall be fitt to be done we have also Constituted & Ordained you and Every four or more of you of w.^{ch} you the Said Dan.^{ll} Clarke Winsmore John Brookes W.^m Stevens Jun.^r unless one of our Council be present are always to be one to be Comission.^{rs} to Enquire by the Oaths of Good and Lawfull men of yo.^r Co^{ty} aforesaid of all manner of ffelonies Witchcrafts and Enchantments Sorceries Magick Arts Trespasses forestallings Ingrossings Extortions whatsoever and of all and Singular misdeeds and offences of w.^{ch} Justices of the peace in England may or ought Lawfully to Enquire by whomsoever & whensoever done or perpetrated or which hereafter Shall happen to be done or perpetrated in the County aforesaid against the Laws & Orders of this our Province Provided that you proceed not in any the Cases afores.^d to take life or member But that in Every Such Case you Send the prisoners with their Indictments and the whole matter depending before you to the next Provinciaall Court to be holden for this our Province whensoever or wheresoever to be holden there to be tryed And further We Do hereby Authorize you to issue writts process arrests and attachments to hold plea of hear and Determine and according to the Laws Orders & Reasonable Customs within this our Province after Judgm.^t Execution to award in all Cases Civill whether in acōns Reall or psonall where the thing in action doth not Exceed the value of Three thousand pounds of Tobacco in w.^{ch} Cases Civill So to be tryed we do Constitute Ordain and appoint you the Said Dan.^{ll} Clarke Winsmore John Brookes and William Stevens Jun.^r to be Judges as afores.^d unless Some one of our Council be there in Court and therefore we Command you that you diligently intend the keeping of the peace Laws and Orders and all and Singular other the premisses and at Certain days appointed according to Act of Assembly in that Case Provided and Such places w.^{ch} you or any four or more of you as afores.^d Shall in that behalf appoint you make Inquiries upon the premisses and perform & fullfill the Same in form aforesaid doing therein what to Justices appertaineth according to the Laws Orders and Reasonable Customs of this our Province Saving to us the Amerciaments & other things thereof to us belonging, And therefore we Comānd the Sheriff of the Said County, by virtue of these p^rsents that at the days and places aforesaid w.^{ch} you or any Such four or more of you as aforesaid Shall make known to him to give his attendance on you if need Require to Cause to come before you or any Such four or more of you as afores.^d Such & So many Good & Lawfull

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(fol. 560)

(fol. 561)

men of your County by whom the truth in the p^rmisses may the better be known & Enquired of and Lastly we have appointed Edward Savage Clerke & keeper of the Records & proceedings in this yo.^r Co.^{ly} Court, And therefore you Shall Cause to be brought before you at the Said days and place the writts precepts process & Indictments to yo.^r Court & Jurisdiction belonging that the Same may be Inspected and by a due Course determined Given at our City of S.^t maries this ninth day of may in the xxxix.th year of our Dominion over our Said Province of maryland Anno^q Domini 1671 Wittness our Dear Son Charles Calvert Esq.^r our Cap.^t Gen.^l and Chiefe Governo.^r of our Said Province of maryland. . . . Charles Calvert

Liber C D

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(fol. 561)

Dedimus to Dorchester County

Cæcilius &^c To our Trusty and Welbeloved Dan.^{ll} Clarke & William Stevens, Jun.^r Gent Greeting Whereas we have lately by o.^r Comi^{co}n under our Great Seale of our Said Province Nominated Constituted and appointed you the Said Daniell Clarke & William Stevens and the Severall other p^{er}sons in the Said Commission named to be Com.^{rs} Justices for the keeping o.^r peace in and for our County of Dorchest.^r County with full power and Authority to keep our County Court there at Such days and times as by the Law in that Case made is Provided, Now know ye that we Reposeing Great trust and Confidence in yo.^r ffidelities & prudent Circumspe^{co}ns have assigned you and by virtue of these p^{re}sents Do Give unto you full power & Authority you the Said William Stevens haveing first taken the usuall Oath of Comission.^r and Justice of the peace of our S.^d County upon the holy Evangelists w.^{ch} Oath We do hereby Empower and Authorize you the Said Daniell Clarke duely to Administer, and you the Said William Stevens having Received and taken the Said Oath We do hereby Authorize you to Administer the like Oath of Commiss.^r and Justice of the peace of our Said County to him the Said Daniell Clarke w.^{ch} being done and p^{er}formed that then you Call and Cause to Come before you the other persons in the s^d Com.^{con} nominated & appointed to be Comi^{co}n.^{rs} and Justices of the peace of our S^d County and duely & truely to administer unto them and Every of them Joyn^{tly} or Severally the Said Oath of Commission.^r & Justice of the peace of our Said County they also takeing the Same upon the Holy Evangelists and when you have So done we do will and Command you that you do under yo^r hands and Seals Certifie us yo.^r whole proceedings herein without delay into our Court of Chancery wheresoever it Shall then be Together with this writt Wittness our Self at our City of S.^t maries the ninth day of may in the xxxix.th year of our Dominion over our Said Province Anno^q Domini 1671

Charles Calvert

Liber C D
(fol. 562)

On the Back side of a writt of Quem diem Clausit Extremum for Lewis Estate Entred foll 419 was thus written viz.^t

The Execution of this Commission doth appear by a Certain Inquisition hereunto annexed

Henry Adams
Thomas Mathews

By virtue of a writt of mandamus to us Henry Adams and Thomas Mathews directed from the Right Hon.^{ble} the Lord Prop.^{ry} of this Province, We Command you that you Cause Twelve Good and Lawfull men of your Bailywick Each of them having Estates of two pounds p year in your County to Come before us at Portobacco on ffriday next then and there diligently to Enquire what Lands and Tenements Lieuten.^t William Lewis held of us in his Demeasne as of fee at the time of his Death and of what manno.^r and by what Services and how much those Lands & Tenem.^{ts} are of value by the year in all issues at what time the Said William Lewis dyed and who is next heir and what age he is of and who those Lands and Tenem.^{ts} from the time of the Death of the Said William Lewis hath or Doth Occupy and the issues and profits doth Receive & by what Title and how and by what manno.^r and for your So doing this Shall be your warrant, Given under our hands this 12.th day of January in the 39.th year of the Dominion of Cæcilius &c Annoꝝ Domini 1670

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(fol. 562)

Henry Adams sealed
Tho: Mathews sealed
To the Sheriff of Charles County

By virtue of this Precept I have Caused Twelve Lawfull men of my Bailywick whose names are under written to Come before the Commission.^{rs} above menconed at the day & place above written to make Inquisition as aboves.^d

(Thomas Lomax)	(Thomas Robeson . . .)	} Benjamin Rozer Sheriff
(Thomas Baker)	(Clement Theobald . . .)	
(Richard Dod)	(John Courts)	
(William marshall . . .)	(Thomas Alanson . . .)	
(Richard morris)	(Jacob Peterson)	
(John Clerke)	(Edmund Lindsey . . .)	

An Inquisition Indented taken at Portobacco in Charles County the thirteenth of January in the xxxix.th year of the Dominion of Cæcilius &c. before Henry Adams Gentl Thomas Mathews Gentl By virtue of a Comission in the nature of a writt of mandamus to them directed to this Inquisition annexed to Enquire after the death of Lieuten.^t William Lewis late of Charles County deceased by the of Thomas Lomax, Thomas Baker Richard Dod Will: Marshall Richard morris John Clerke & Thomas Robeson Clement Theobald John Courts Thomas Alanson Jacob Peterson Edmund Lindsey w.^{ch}

(fol. 563)

Said Juro.^{rs} upon their oaths Say that the s^d Lieut^t William Lewis was Seized in his Demeasne as of fee upon the day of w.^{ch} he dyed (to witt) the 29.th of march Anno Dom 1656 of three thousand acres of Land Lying Scituate and being at Nanjemy in the County of Charles County Commonly Called or known by the name of Lewis's neck of what manno.^r or by what Rents or Services its holden the Juro.^{rs} are altogether Ignorant but Since the decease of the Said Lieuten.^t William Lewis We're Informed that the Said three thousand acres of Land Lying Scituate & being in the County of Charles County as afores.^d was Extended for ninety and nine years which Extent was purchased by m.^r Edward Prescott at as near as we can be Informed the yearly value of Two hundred forty Six pounds of Tobacco p Annum & now Remains in the possession of him the Said Edward Prescott or his Certain Attorney or attorneys according to the best Information we can Get the aforesaid Juro.^{rs} do further find that there was two Thousand acres of Land Lying Scituate and being in the County of Charles County aforesaid in Portobacco Creek in the Said County Granted unto the afores.^d W.^m Lewis by the Right Hon.^{ble} the Lord Proprietary of maryland according to his Grant under the broad Seale of this Province bearing date the 26.th day of Oct.^r 1649 as by the Said Grant Recourse being thereunto had more at Large it doth and may appear To have and to hold the Said two thousand acres of Land afores.^d unto him the Said Lieuten.^t Wiffm Lewis his heirs and assigns for Ever To be holden of his Lordships manno.^r of west S.^t maries in free and Common Soccage by fealty only for all Services Yeilding and paying therefore yearly unto the Lord Proprietary of this Province or unto his heirs at the usuall place at Receipt at S.^t maries forty Shillings Sterling or Twenty Bushells of Good Corn at the nativity of our Lord, and the Juro.^{rs} of the Said Jury farther Say that L.^t W.^m Lewis by a mean assignment under his hand without a Seale bearing date the ninth day of July 1651 did assign over the Two thousand acres of Land afores.^d unto Job Chandler Esq and m.^r Simon Oversee afores.^d in these words following. I Will: Lewis do assign over unto Job Chandler and Simon Oversee all my Right Title of this within Specified Patent to them their heirs Ex.^{rs} adm.^{rs} or assigns for Ever as Wittness my hand this 9.th day of July Annoq Domini 1651 afores.^d upon the back side of which Patent the Ensueing assignm.^t was written and desires to be Entred among the Records by Job Chandler Esq And the Juro.^{rs} upon their Oaths further Sayth that L.^t William Lewis at the time of his decease the 29.th day of march in the year 1656 as is afore Expressed had no heir at the time of his Death that they know of at the time of the decease of the S.^d W.^m Lewis the aforesaid Two thousand acres of Land was then in the possession of Job Chandler Esq.^r and m.^r Symon Oversee Late of this County & Province deceased by Pretence of the

Liber CD

p. 535
(fol. 563)

(fol. 564)

Liber CD mean assignm.^t aforementioned the profits of the Said Land we humbly conceive by them in their life times were fully Enjoyed and Received We the Said Juro.^{rs} find the Said Two thousand acres of Land is now in the possession of m.^{rs} Ann fflowke, Edmund Lindsey m^r Benjamin Rozer m.^{rs} Elizabeth Johnson and Phillip Brown (to Say) one thousand acres now in the possession of m.^{rs} Ann fflowke the Relict of m.^r Job Chandler Esq^r by vritue of the afores.^d assignm.^t from the aforesaid W.^m Lewis to Chandler and Overseer as aforesaid the other one thousand acres we find in the possession of Edmund Lindsey by virtue of a Lease from m.^{rs} Elizabeth Overseer the Relict of m.^r Symon Overseer afores.^d Granted to him the S.^d Lindsey for Twenty one years of w.^{ch} time there is Seven years or thereabouts Expired out of w.^{ch} Said one thousand acres there is Two hundred acres or thereabouts now in the possession of m.^{rs} Ann fflowke By virtue of a Lease Granted by the Said Edmund Lindsey unto George English late of this County in whose possession it was three years or thereabouts & then Sold by him unto Coll.^o Gerrard fflowke late husband to the Said m.^{rs} Ann fflowke in whose possession it hath been three years or thereabouts & also four hundred acres or thereabouts now in the possession of Elizabeth Johnson the Relict of Dan.^{ll} Johnson of the County of Charles County deceased by virtue of a Lease Granted by the Said Edmund Lindsey unto William Paca late of the Said County deceased in whose possession it was one year or thereabouts and then purchased by Daniell Johnson in whose possession it hath been this four years or thereabouts and also one hundred and fifty acres or thereab.^{ts} now in the possession of m^r Benjamin Rozer by virtue of a Lease Granted from the Said Edmund Lindsey in whose possession it hath been this two years or thereabouts and also one hundred acres of Land more or thereabouts now in the Possession of Phillip Brown by virtue of a Lease Granted by the Said Edmund Lindsey in whose possion it hath been this three years or thereabouts the profits and benefits thereof having been Enjoyed and Re^{cd} as we Humbly conceive by the parties aforementioned and the value of the s.^d Two thousand acres of Land may be worth Eight hundred pounds of Tobacco as we humbly Conceive p^p Annum, And the Juro.^{rs} further Say that Such meane assignm.^{ts} as it before Expressed was form^{ly} accustomary in this Province and in these days most or all of the Lands then Sold did pass between man & man barely upon Such meane assignments

p. 430
(fol. 564)







(fol. 565)

Tho: Lomax foreman Henry Adams
of the Jury. Tho: mathews

And further the Juro.^{rs} aforesaid Say upon their Oaths that whether the Lands and Tenem.^{ts} aboves.^d in the Patent afore recited & by the assignm.^t of the s.^d L.^t W.^m Lewis to the s.^d Job

Chandler Esq.^r & m.^r Symon Oversee by the meane assignm.^t afores.^d did pass unto the Said Job Chandler and Symon Oversee (or not they are altogether Ignorant thereof, Prayeth the advice & Considera^on of the Right Hon.^{ble} the Lord Prop.^{ry} in his Court of Chancery and upon the whole matter afores.^d by the Juro.^{rs} af.^d in form afores.^d found it Shall Seem to the s.^d Lord Prop.^{ry} & his s.^d Court of Chancery that the afores.^d Lands & Tenem.^{ts} in the afores.^d Patent men^coned did by the s.^d assignm.^t to the Said Job Chandler & Simon Oversee pass (then they) Say that the S.^d W.^m Lewis did not dye Seized of any the Lands & Tenem.^{ts} in the Said Patent men^coned that they know of if upon the whole matter by the Juro.^{rs} afores.^d in form as aforesaid found, it Shall Seem to the Lord Prop.^{ry} and his Co^{rt} of Chancery that the Lands and Tenem.^{ts} in the Patent aforemen^cioned by that assignm.^t of the Said Lieuten.^t W.^m Lewis to them the S.^d Job Chandler and Symon Oversee did not pass (as in form as aforesaid then they Say that the Said L.^t W.^m Lewis at the time of his Death was Seized as in his Demeasne as of ffee of the Said Two thousand acres of Land ffee in the Patent aforemen^coned and thereof dyed Seized and that the S.^d Lands were held & are held of the Said R.^t Hon.^{ble} the Lord Prop.^{ry} as of his manno.^r of west S.^t maries in ffee and Common Socage by ffelty only for all Services yeilding and paying therefore yearly to him and his heirs at his usuall Receipt at S.^t maries forty Shillings Sterling in money or Twenty Bushells of good Corne at the nativity of our Lord In Testimony whereof as well the Co^mission.^{rs} as the Juro.^{rs} aforesaid to these p^sent Indentures have Interchangeably Set their hands and Seales the day and year first abovewritten

p. 437
(fol. 565)

Tho: Lomax (sealed)	John Clarke (sealed)
Signed	Tho. Robinson (sealed)
Tho  Baker (sealed)	Clement Theobald (sealed)
Signed	John Court (sealed)
Rich  Dod (sealed)	Tho: Allanson (sealed)
Signed	Signed
W. ^m  marshall (sealed)	Jacob  Peterson (sealed)
Signed	Signed
Rich. ^d  Morris (sealed)	Edm. ^d  Lindsey (sealed)

(fol. 566)

Sp.^a
Versus Daniell Jenifer John Morecroft & Thomas Notley Gentl to Answer unto Vincent Atchinson & Hannah his wife ret 47.^o S.^{bris} p & Teste S.^t maries 19.^o maii 1671

Spā
Versus Joseph Sone to Answer unto John Gould ret 17.^o 8:^{bris} p & Teste 14.^o Junii 1671

Liber CD Replevin Rozer a Neale

Cæcilius &c To the Coroner of Charles County Greeting Because Benjamin Rozer of Charles County hath come before our Justices of our Provinciaall Court and hath found Sufficent Surety as well for the psecuting of his Claime as for his bay Colt w.^{ch} James Neale tooke and unjustly detained as it is Said to be Returned if the Return thereof be adjudged Therefore we Comand you that you Replevy and Delivery make to the Said Benjamin Rozer of his bay Colt afores.^d & and that you put the Said James Neale by Surety and Safe pledge that he be before our Justices at our next Provinciaall Court to be holden at our City of S.^t maries the Seventeenth day of October next Ensueing to Answer unto the Said Benjamin of a plea of taking and unjustly withholding his bay Colt afores.^d and that you then and there make Return of this Precept Wittness o.^r Self at our City of S.^t maries the fourteenth day of June in the 39.th year of our Dominion over our Said Province of maryland Annoq̃ Domini 1671

Stephen Tully Comiçon to be Sheriff

Cæcilius &c To all to whom these presents Shall Come Greeting Know ye that we have Comitted to our Trusty and welbeloved Stephen Tully Sheriff of our County of Talbot our S.^d County w.th the appurtenances to be by him kept during our pleasure So as he render unto us yearly o.^r firm dues & Answer unto us o.^r Just Rights & for all Other things belonging to the office of high Sheriff of our Said County before o.^r Chief Justice of our Said Province, Given at our City of S.^t maries under the Great Seale of our Said province Wittness our Self at S.^t maries aforesaid the 17.th day of June in the 39.th year of our Dominion over our Said Province Annoq̃ Domini 1671

Charles Calvert

Stephen Tully writt of Assistance

Cæcilius &c To all Gentl: ffreemen & other psons of o.^r Co.^{ty} of Talbot Greeting Whereas we have Comitted to o.^r trusty & welbeloved Stephen Tully Sheriff of o.^r S.^d County our Said County w.th the appurtenances to be by him Kept dureing our Pleasure We do therefore Comand you and Every of you that you be aiding and assisting to the Said Stephen Tully as high Sheriff of our S.^d County in all things that to the office of high Sheriff of our Said County doth appertain Given at our City of S.^t maries under the Great Seale of our Said Province Wittness our Self at S.^t maries the 17.th day of June in the 39.th year of our Dominion over our Said Province of Maryland Annoq̃ Domini 1671

Charles Calvert

The Sheriff's Oath

Ye Shall Swear that well and Truely you Shall Serve the Lord Proprietary in the office of Sheriff of the County of Talbot & doe his Lopps profits that belongeth to you to do by way of your office as farr forth as you may can ye Shall not assent to decrease or Lessen nor to concealm.^t of any of Lopps R.^{ts} or of his ffranchizes & wheresoever ye Shall have knowledge that his Lopps R.^{ts} be concealed or withdrawn be it in Lands, Rents, ffranchizes or Gifts or any other things, Ye Shall do yo^r true power to make th.^m to be Restored to his Lopp again and if ye may not do it ye Shall Certifie his Lopp or Some of his Councill thereof Such as ye Shall know for Certain will Say it unto his Lopp ye Shall not Respite his Lopps debts for any Guift or favour where you may Raise them without Great Grievance of the Debtor Ye shall truely and Righteously treat the people of your Sheriff-wick and do Right to poor as well as to Rich in all that belongeth to yo.^r office ye shall do no wrong to any man for any Guift or other behest or promise of Goods for favour nor hate Ye shall disturb no man's R^t ye shall acquitt all those of whom ye Shall any thing Receive of his Lopps Debts Ye Shall nothing take whereby his Lopp may Loose of y.^t R.^t may be Lessen or disturbed or his Lopps debts delayed ye Shall truely Return and truely Serve his Lopps writts as farr forth as it Shall be in your Cunning Ye Shall not have to be y^r undersheriff any of the Sheriff's Clerkes of the last year past Ye Shall take no Bayliff in your Service but Such as ye Shall Answer for, Ye Shall make Each of your Bayliffs make Such oath as ye make your Self in that, that belongeth to their Occupation ye Shall receive no writts by you or any of yo^{rs} unsealed nor Sealed by any but by the Justices of the Chancery Provinciall or County Courts or Such other as Shall be thereto Authorized by the Lord Proprietary, Ye Shall make yo.^r Bayliff of the true & Sufficient men of your County you Shall not let yo.^r Sheriffwick or any Bailywick thereof to farm to any, ye Shall truely Set & Re Reasonable & due issues of them y.^t be within your Bailywick after their Estate and hono.^r and make yo.^r pannell yo.^r Self of Such persons as be most meet most Sufficient & not Suspect nor procured all these things you Shall well & truely observe & keep So help you God &^c

June 26.th 1671

Stephen Tully

Then was the above written Oath by me administred unto Stephen Tully Gentl high Sheriff of the County of Talbot Given under my hand the day & year aboves.^d

Phillip Calvert

Writt of discharge to Tilghman

Cecilius &^c To Richard Tilghman Late high Sheriff of our Co.^{ty} of Talbot Greeting Whereas we have Comitted to our beloved

Liber C D Stephen Tully Gentl of our Said County of Talbot w.th the appurtenances to be by him kept durement our pleasure we Command you that by Indentures to be duely made and Executed between you & the S.^d Stephen Tully you deliver unto the Said Stephen Tulley the
 p. 439
 (fol. 568) Said County with Rolls writts Records and other matters and things to the office of high Sheriff belonging and which are in your Custody hereof you are not to fail at your perill Wittness our Self at our City of S.^t maries the 17th day of June in the nine and Thirtieth year of our Dominion over our Said Province Annoq̃ Domini 1671

Cæcilius &^c To John Chaffe and mary Chaffe his wife and James Smith of the County of Talbot Greeting we Command you that all busienes Set apart and all Excuses Ceasing you be & psonally appear before us in our high Court of Chancery at our City of S.^t maries Imediately after the Receipt hereof to Testifie the truth of yo.^r Respective Knowledges in a Certain Cause of Equity depending before us in our Said Court of Chancery Between Nicholas Brooke plantiff and Richard Tilghman def.^t on the behalf of the Said defend.^t and hereof or any of you are not to faile under pain of one hundred pounds Sterling apiece and have you there this writt Wittness our Self at o^r City of S.^t maries the 30.th day of June in the fortieth year of our Dominion over our Said Province of maryland Annoq̃ Domini 1671

30.th July 1671

Commission to Thomas Walker to the Sheriff of the County of Somersett as in foll 437 to Tully

Eodem die

Writt of assistance to the s.^d Thomas Walker as is in fol 437 Tully

Eodem die

Writt of discharge to Revell Sheriff of Somersett County as is in foll 438

Cæcilius &^c To all Sheriffs Bayliffs Constable and other ministers of o.^r Province of maryland Greeting whereas Isaac Alcock hath found Security for his appearance at our Provinciaall Court at o.^r City of S.^t maries to be holden the Seventeenth day of Octob.^r next to Answer the Demand of Service made by Dennis maconough, Therefore we Comānd you and Every of you that you for the S.^d Occasion forbear to Arrest molest or trouble the Said Isaac Alcock, and if you have for the s.^d Occasion and none other him taken and Imprisoned then that you him deliver and Cause to be Set at Liberty and of this you are not to fail Wittness our Self at our City of S.^t maries the Seventh day of September in the 40.th year &^c

Liber C D

attachment of Contempt

Cæcilius &c To the Sheriff of the County of Sommerset Greeting
We Command you that you attach Randall Revell if he can be found
in your Bailiwick and him Safely keep So that you have him before
us in our Court of Chancery the Seventeenth day of Octob.^r next
wheresoever we Shall then be to Answer unto us as well touching a
Certain Contempt by him against us Comitted as is alleadged as to
Such other things as Shall be then & there objected against him by
Edward Peerce Complainant and this you may in no wise omitt
and have you there this Writt Wittness &c the 21.th of Sept 1671

John Ingram p.^{lt} George Harris Sarah his wife and morgan
Williams defend.^{ts} Robert Carville one of the Attorneys of this
Court appears for the defend.^{ts} 21.th Sept 1671

AH against	To the Sheriff of Kent County defendant at the Suit of Jonathan Hopkinson he appear not yet	(fol. 569)
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Answered Ret the 17.th of oct.^r next Test 21^o Sept

AH	To the Sheriff of Talbot County attachment against Richard Snoden defend. ^t at the Suit of Jonathan Hopkinson for that he appeared and hath not yet Answered returnable the 17. th of Octob. ^r Teste 21. th Sept 1671	p. 440 (fol. 569)
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ffees posted thus farr the 20.th Sep.^r 1671

Spā for Edward Wood & W.^m Graves to appear in Chancery 17
of Octob.^r next to Answer unto the Complaint of George Atchison
by his Guardian Ninian Beale Teste 25.^o 7^{bris} 1671. R: C

writt of Erro.^r between Bonner & hatch & Rowland

Cæcilius absolute Lord and Prop.^{ty} of the Provinces of maryland
& Avalon Lord Baron of Baltemore & To our Com.^{rs} of our Court
of Charles County Greeting because in the Record and process as
also in the Rendring of Judgm.^t in a plea w.^{ch} was before you in
our S.^d Court Between John Hatch and Robert Rowlands adm.^{rs} of
ffran. Bullock p^{lts} and Henry Bonner def.^t as it is Said manifest
Erro.^r hath happened to the Great Damage of the Said Henry
Bonner as by the Great Complaint of the Said Henry Bonner we have
Received we willing that the Erro.^r if any be Should in due manner
be Corrected all and Speedy Justice done to the Said party
in this behalf we Comānd you that if Judgm.^t thereof be Rendred
then the Record and process of the plea aforesaid with all things
touching the Same to us before our Justices of our Provincia^{ll} Court
und.^r yo.^r Seales distinctly and openly you Send So that we may
have then before our Said Justices of our Prov.^{ll} Court to be holden

Liber C D at our City of S.^t maries on the first day of the Said Court being the 17.^o day of this Present October that Inspection being had of the Record, and proceeding therein we may Cause further to be Don what of Right and according to the Laws & Constitutions of our Province ought to be done therein and further to do & Receive what our Said Court in that behalf Shall Consider of and that you Summons the Said John Hatch and Rob.^t Rowlands then and there to hear the Same and also that you have there this writt Wittness at S.^t maries the 6.^o of Octob.^r Given under our Great Seale of our Province of maryland in the xxxx.th year of our Dominion over our Said Province of maryland Annoq Domini 1671

(fol. 570) Int Bonner & Hatch

Cæcilius absolute Lord and Proprietary of the Provinces of maryland and Avalon Lord Baron of Baltimore &c To o.^r Sheriff of Charles County Greeting because in the Record & process & also in the Rendring of Judgm.^t in the Plaint w.^{ch} was in our Court of Charles County before our Justices of our Said Court by one writt between John Hatch and Robert Rowlands adm.^{rs} of ffran Bullock plts & Henry Bonner def.^t it is Said manifest Erro.^r hath happened to the Great damage of the Said Henry Bonner as out of his Complaint we have Accepted the Record & process of w.^{ch} Said Judgm.^t before our Justices of our Provinciaall Court for Certain Causes we have Caused to Come and we being willing that the Erro.^r if any be Should in due manner be Corrected and full and Speedy Justice to be done to the parties afores.^d in this behalf We Comānd you that by Honest and Lawfull men of yo.^r Bailywick you make Known to the Said John Hatch & Robert Rowlands that they be before our Justices of our Prov.^l Court on the first day of our next Provinciaall Court to be held at S.^t maries on the 17.^o day of this Present October to hear the Record and process aforesaid if to them it Shall Seem meet and further to do and Receive that w.^{ch} our Said Court Shall then and there Consider of in that behalf and have you then and there the names of them by whom you shall make this known to the Said Hatch and Rowlands as also this writt Wittness our Self at S.^t maries the Sixth of October Given under o.^r Great Seale of our Province of maryland in the fortieth year of our Dominion over our Said Province Annoq Domini 1671

p. 441
(fol. 570)

writt quem diem Clausit Extremum upon the Estate Peter & Ja.^s
Johnson vide Inquisition Returned fol 58

Cæcilius &c To our Trusty and Welbeloved Thomas Sprigg & Richard Perry Gent in our County of Calvert Greeting we Command you that by the Oaths of Twelve Good and Lawfull men of your Said County of Calvert by whom the truth of the matter may the better be known that you diligently Enquire what Lands and Tene-

ments Peter Johnson and James Johnson held of us in their Demeasne as of ffee Joyntly or Severally at the time of their Deaths and of what by the (fol. 571)

Johnson

heir or heirs are and who those

Said Death of the Said Peter Johnson

have or doth Occupy and the issues or profits

by what Title and how and in what manner

and distinctly and openly made to us

in our Chancery under yo.^r

Seales and the hands

and Seales of them by whom it Shall be made without delay you

Send and this Writt Wittness our Self at our City of S.^t maries the

18.th day of October in the 40.th year of our Dominion over our Said

Province Annoq Domini 1671.

Cæcilius &c To our Trusty and welbeloved Henry Adams & Thomas mathews Gent in the County of Charles County Greeting we Comand you that by the Oaths of Twelve Good and Lawfull men of yo.^r Said County of Charles County by whom the truth of the matter may better be known that you diligently Enquire what Lands and Tenements Symon Oversee held of us in his Demeasne as of ffee at the time of his Death of what manno.^r and by what Services and how much those Lands and Tenements are of value by the year in all issues and at what time the Said Simon Oversee dyed and who is his next heir and of what age the heir is & who those Lands and Tenem.^{ts} from the time of the Said Death of the Said Simon Oversee have or doth Occupy and the issues & profits hath or doth Receive and by what Title and how & in what manner and the Inquisition thereof distinctly and openly made to us in our Chancery under your hands and Seales and the hands and Seales of them by whom it Shall be made without delay you and this writt Wittness our Self at our City of S.^t maries the 18th day of Oct.^r in the 40.th year of the Dominion of our Said Province Annoq Dom

writt quem diem Clausit Extremum of W.^m Battin's Estate vide Inquisition fol. 60

Cæcilius To our Trusty and welbeloved Henry Adams & Thomas mathews Gent in our County of Charles County Greeting we Comand you that by the Oaths of twelve Good and Lawfull men of your Said County of Charles County by whom the truth of the matter may the better be known and Enquired of that you diligently Enquire whether William Battin late of your County deæd was Seized in his Demeasne as of ffee at the time of his Death of a Certain Tract of Land in your Said County of Charles County on the north Side of Potomock River near Cædar Poynt & Lying in Piccowaxen Creek Containing five hundred acres or thereabouts Sometimes Since in

p. 442
(fol. 571)

Liber C D the possession of John Bolds Gent of what manno.^r the Said parcell of Land was holden and by what Services and much the Same is of value by the year in all issues and profits and at what time the Said William Battin dyed and who is his next heir or heirs and of what age the heir or heirs are and who the Said from the time of the Death of the S.^d William Battin have occupy and the issues & profits hath did & doth Receive and by what Title and how and in what manner and the Inquisition thereof distinctly and openly made to us in our Chancery under yo.^r hands and Seales and the hands & Seales of them by whom it Shall be made without delay you Send & this writt Wittness our Self at our City of S.^t maries this in the 40.th year of our over our Said

City of S.^t maries in our

in the Seven and Thirtieth year over our Said Provinces it was Enacted & Ordained for divers Reasons in the Said Act menconed that all that Land Lying and being on the South Side of Choptanck River bounded westerly by the ffreehold now in the Tenure & Occupation of William Dorrington and Easterly with the Creek falling into the Said River of Choptanck Commonly by the English Called or known by the name of Secretary Sewalls Creek for breadth and from the Said River Side three miles into the woods for Length Should be unto Ababco, Hutsawap & Tesquastieno and the people under their Government and Charge and their heirs for Ever any Law usage Custom or Grant to the Contrary thereof in any wise notwithstanding to be held of us and our heirs under the yearly Rent of Six beaver Skins as by the Said Act Relation being thereunto had more full and more at Large it doth and may appear We do therefore Command you that by the Oaths of twelve honest and Lawfull men of the Said County of Dorchester by whom the truth of the matter may be the better known and Enquired of diligently you Enquire if it be to the damage of us or others if we Grant unto the Said Alabco Hutsawap & Tequastieno & their nation & their heirs for Ever the Said parcell of Land and if it be to the damage of us or others, then to what damage and what p'judice of us & what damage and prejudice of others & of whom & in what manner & how & to what value and who are the p'sent possessors^{rs} of the Said parcell of Land and how many acres the Same Containeth and the Inquisition thereupon openly & distinctly made to us in our Chancery under the Seale and the Seales of them by whom it was made without delay thou Send and this writt Wittness our Self at our City of S.^t maries the 23.th day of October in the fortieth year of our Dominion over our Said Province of maryland Annoq Domini 1671

Thomas Scot made oath to y^e Service of this Spa & on all y^e def.^{ts} Liber C D

Except Palmer Sworn 16.th Jan. 1671 R Ridgely Reg^r

Sp.^a ag.^t Thomas Howell George Wells and Will.^m Palmer & Johannah Gouldsmith to Answer the Comp.^{lt} of margaret Penry adm.^{rx} of ffrancis Wright deceased ret the 19.th of Decemb Teste 24^o 8^{bris}

Spa ag.^t James mocoey to Answer the Comp.^{lt} of ffrancis Kilborne & margaret his wife the adm.^{rx} of Donnell Johnson late of Charles County deceased ret & Teste ut Supra

Spa ag.^t Tho: Belingsley to Answer the Comp.^{lt} of William Burges in a Cause of Equity ret & Teste ut Supra

[Baltimore] County

By virtue of a writt directed to us Thomas Howell and James ffrisby Gent to Summon Twelve Good and Lawfull men to Enquire into the Lands and Tenem.^{ts} of John Hatton dec.^d in order thereunto we have this 9.th of June Anno 1671 at the house of m.^r James ffrisby proceeded according to our Directions and

Cæcilius absolute Lord and Proprietary of the Provinces of (fol. 579)
maryland & Avalon To the Sheriff of Calvert
County Greeting Whereas Complaint is Parker
Executor of the Last will and Testament of John Dradymast

John of Weymouth is Going to depart this Province
and for th acons Commenced against him in our
Provinciall Court by William Harris Henry
Smart Joseph Maunders Henry Hamon Richard Sturston Tho.^s

Wicker & Nicholas Smart These are therefore to
Require you that you take the of him the Said John
Parker if found within yo.^r Bailywick and him Safely keep till he
Enter into a Recognizance in our Said Court of Chancery with
Sufficient Suretys not to depart this Province till he have fully
Answered the Said Acons Commenced against him in o.^r Said Pro-
vinciall Court by the partys afores.^d and of this you shall not fail
at yo.^r perill; Wittness our Self at our City of S.^t maries the nine
and Twentieth day of ffebruary in the xxxx.th year of our Dominion
over our Said Province of maryland Annoq̄ Domini 1671

Cæcilius &c To the Sheriff of Calvert County Greeting whereas
Walter Sensarfe master of the Joseph and margery
hath Exhibited into our high Court of Chancery his
Complaint ag.^t John Clemones of Calvert County in
which Bill of Complaint it is affirmed by the Comp.^{lt}

Liber C D

Said defendant is Justly Indebted to him the Summe of
 Thousand Seven hundred Twenty eight pounds
 of for that the Said John Clemones is
 going to depart and he having not answ^d
 the Said Bill before the Same be answered
 whereby the no can be had therein for the S.^d
 p. 444 Walter Sensarfe therefore to Require you to
 (fol. 579) take the Said John Clem within y.^r Bailiwick
 and him Safely keep till he Enter Recognizance in
 our Said Court of Chancery with Sureties not to
 depart this province till he hath Answered the Said
 Bill and also to p^rform what our Decree or
 Determine therein Wittness &^e Dated ii.^o ff y^e 40.th
 year of our Dominion &^e

Cæcilius &^e To Gerrard Slye of the County of S.^t marys Gent
 all busieness Set a part & all Excuses Ceasing you be &
 in our Court of Chancery Immediately on Sight
 hereof to Te Knowledge in a Cause of
 Equity depending there betw attorney of
 John Nethway Comp.^{lt} and John Bally de no ways
 to Omitt under the pain of one
 Wittness Self at our City of
 over our Said

(fol. 580) Cæcilius &^e To the Sheriff of S.^t maries County Greeting Whereas
 there is a Suit in our Court of Chancery depending between James
 Neale Attorney of John Nethway Comp.^{lt} and John Balley defend^t
 & the Said Balley being intended to depart this Province before the
 Said Suit Shall be fully determined These are therefore to require
 you to take the body of the Said John Balley if found within yo.^r
 Bailiwick and him Safely keep till he Enter into a Recognizance
 in our Said Court of Chancery with Sufficient Sureties not to
 depart this province till he have fully answered the S.^d Suit and
 also to perform and fullfill what our Said Court Shall order decree
 and Determine in that behalf of this you are not to fail at your perill
 Wittness our Self at our City of S.^t marys the fifteenth day of march
 in the xxx^xth year of our Dominion over our Said province Anno^q
 Domini 1671

Injunction Ladd

Cæcilius &^e To Richard Ladd & Rosamond his wife Ex.^{rs} of the
 Last will & Testament of Joseph Horsley Dec.^d their Attorneys
 Agents & Sollicitors and Every of them Greeting Whereas we are
 Informed in our Court of Chancery on the behalf of William Smith
 plant that the Said plant hath Exhibited his Bill of Comp.^{lt} into our

Said Court against you the Said Richard Ladd & Rosamond his wife & others defend.^t to be Relieved ag.st a Suit at Common Law by you Commenced upon a Bond of Seven thousand Six hundred Sixty one pounds of Tobacco w.^{ch} Said Bill the plant Suggesteth was Entred into onely for a Colleteriall Security of the Said Horsley against another Bond wherein the Said Joseph Horsley Stood Joyntly bound w.^{ch} the plt to one Henry Johnson for a Certain debt then due to the S^d Henry Johnson from the p.^{lt} & that the p.^{lt} was not otherwise Indebted to the S^d Horsley, And Whereas Indeede the Said Horsley never paid any of the Said debt to the Said Henry Johnson we willing that Justice be Equally distributed & takeing these things into our Consideration do hereby Charge & Strictly Comand and firmly Injoyn you Richard Ladd & Rosamond his wife & you his Attorneys Agents and Sollicito^{rs} and Every of you under the pain of Two hundred pounds Sterling to be levied of the Goods and Chattells Land & Tenements of you and Every of you to our use that you and Every of you do from henceforth Imediatly Stay Surcease and forbear all further prosecutions whatsoever against the upon the Suit upon the bond afores.^d untill you the Said defendants Shall directly answer the p.^{lts} Bill & Set forth the full truth of the matter and this Court take order to the Contrary Witness &c the 5.th day of Aprill in the xxxx.th year of our Dominion over our Said Province Annoq Domini 1672

Liber CD

p. 445
(fol. 580)

James Nuthall Sp.^a in Canc. versus Kenelm Cheseldyne ret Imediate Dat 13.th Aprill 1672

Cæcilius &c To the Sheriff of Baltimore County Command thee that thou attach Thomas Howell Palmer and Johanna Gouldsmith So that thou have in our Court of Chancery upon the first day of Provinciaall Court To be held at our City of S.^t maries Eleventh day of June next to Answer unto us as we Certain Contempt by the Said Thomas Howell Geo W.^m Palmer and Johannah Gouldsmith done as it is Said as all other things that Shall then and there be objected against them & further to do and Receive what our Court Shall Consider of in that behalf and of this thou Shall no ways omitt and have then there this Writt Wittness &c dated the 15.th day of Aprill in the 40.th year of our Dominion over our Said Province Annoq Domini 1672

(fol. 581)

Cæcilius &c To the Sheriff of Baltimore County Greeting We Comand you that by the Oaths of Twelve Honest and Lawfull men of your County by whom the truth of the matter may be better known diligently thou Enquire if it be to the damage of us or others if we Grant to Jacob Young of Baltimore County Gent ten acres of Land in Susquehanough River at the Land Called Perry Point in

Liber C D the s^d County with Liberty and Licence thereon to Set a water mill
 Liberty to take fell Cut down and Carry away either by
 Land or water any Timber fit for building of a mill other then
 Board Timber ff Split into Clapboards upon any the
 Land next adjoining to the acres of Land Lying
 in Susquehanough River at Perry Point aforesaid
 it be to the damage of us or others then to what damage and what
 of us and to w.^t damage & prejudice of others and of
 whom and in what manno.^r & how & of what value or of whom the
 aforesaid Ten acres of Land holden & by what Service & in
 what manner & how & of what value the by the year
 according to the true value of them now before any other improven.^{ts}
 made of the Said Ten acres & who are the p^rsent possessor.^{ts} of the
 S.^d ten and who & how many are the mesnes between
 us & the present the S^d ten acres & what Lands
 or Tenem.^{ts} Remain to the p over the s^d ten
 acres & if the Lands Remaining to the p^rsent over
 the S.^d ten acres will Suffice to uphold their manno^r viz.^t
 part of the manno.^r allowed by y^e Condiçions of plantaçon for the
 as before y^e alienaçon for building of a mill & y.^t y^e
 Said p assizes Juries & Recognizance as before
 the alienaçon So that the Cou alienation at.^d in
 default of the p^rsent possessor^r more than was wont be Charged
 and Grieved and distinctly made Chancery

p. 446 Griffith Beddoe makes Oath on the Holy Evangelists of Almighty
 God That he Read the old Booke from whence the Contents of this
 Booke were Transcribed, Carefully Deliberately and Distinctly to
 the best of his ability to m.^r John Lawson who Examined the Same.
 And the Said John Lawson Likewise makes Oath on the holy
 Evangelists of Almighty God That he faithfully Deliberately, Dili-
 gently and truely Examined and Compared the Contents of this
 Booke with the old Booke the Said Contents were Transcribed out
 of into this and that the Contents hereof agree Exactly with the
 Said old Booke, But that Such Blanks as are Left in this Book are
 for words defaced or otherwise not Legible in the Said Old Book to
 the best of his knowledge

Sworn to this Second day of July 1729 before me
 the Subscriber one of the Justices of his Lordship's
 Provinciall Court of Maryland.

Benj.^a Tasker

Present

Sam^t Young
 Jo Neale

G Beddoe
 J Lawson

CHANCERY COURT PROCEEDINGS

The Register in Chancery of Maryland

Sir William Talbot Barronet

Liber P C
p. 1

Begunn the 10th Day of September in the ffortieth yeare of the Dominion of Cæcilius Absolute Lord and Proprietary of the said Province Annoque Domini One Thousand Six hundred Seaventy and One.

Secretarium

Robert Ridgely Reg.

[SECOND CHARTER OF SAINT MARY'S CITY] *

Cæcilius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &c To all our Officers and Inhabitants of our said Province of Maryland And to all others whome these p^sents may concerne Sendeth Greeting in our Lord God Everlasting Know yee that Whereas by our Letters Pattent under our Greate Seale bearing Date the third day of November in the seaven and Thirteenth yeare of our Dominion Annoque Domini One Thousand Six hundred and Sixty and Seaven wee did Graunt to our well Beloved Inhabitants w^hin the citty called or knowne by the name of Saint Maries citty in the county of Saint Maries in the s^d Province of Maryland and the circuits Precincts and Priviledged Partes of the said citty not Exceeding the space of one English mile Square that they the said Inhabitants w^hin the said citty circuits and precincts afores^d shall be an Incorporated Citty of one Major one Person Learned in the Law by the name of a Recorder and Six Aldermen and Tenn persons as common councilmen Inhabiting w^hin the said citty ffor Evermore and that the said Major Recorder and Alderman and Co^mon councilmen shall bee a body Incorporate and one Community for Ever in Right and name and shall bee by the name of Major Recorder Alderman and Common council of the Citty of Saint Maries Citty Able and Capable At Law to be sued and to sue and to Act Execute add doe as a body Incorporate and to have Succession for Ever and to that End to have a Co^mon Seale And that Philip Calvert Esquire one of the Inhabitants of the Said Citty shall for the Present bee and bee named Major of the s^d Citty for the Ensueing Year and John Morecroft

* [See Appendix, page 567, for the first charter of Saint Mary's City.]

- Liber P C Recorder of the Same and William Calvert Esquire, Jerome White Esquire, Daniell Jenifer, Garret Van Sweringen, Marke Cordea, and Thomas Cosden, Inhabitants Alsoe of the said City shall bee Aldermen Thereof as long as they shall well behave Themselves therein
- p. 2 Having first taken the Oath of fidelity as also the oath Appointed by us to bee taken by the Major Alderman and Recorder of the City of Saint Maries city and to be Administered unto them Respectively by our Lieutenant of the s^d Province for the Time being or by such person or persons as wee or our heirs or our Lientenant of the said Province for the time being shall from time to time Authorize and Appoint to Administer the same and the said Major Recorder and Alderman or the Major part of them shall Elect and Chuse Tenn other of the most sufficient Inhabitants of the said City to bee of the Co^mon councill thereof for soe long Time as they shall well behave Themselves therein and that for the future the said Major Recorder Aldermen and Co^mon councill shall Assemble in some convenient Place w^hin the said City on or upon the Third day of November Every Yeare and shall then and there Elect and Chuse by the Major Vote of such of them as shall bee then prsent one other of of the Aldermen of the said City for the time being to bee Major of the said City for the Ensueing Yeare and upon Decease or Remooveall of the s^d Major of the said City for the time being or upon any Decease or Deceases Remooveall or Remoovealls of the said Recorder or Aldermen or any of them or w^hin one mounth after any such Respective Deceasee or Deceases Remoovall or Remoovalls the Residue of the said Aldermen together and w^h the said Major if hee shall bee living or the Major Part of them shall att a sett Time by them to bee Appointed w^hin the s^d City and precincts Elect and Nominate some other Person or Persons to bee Major Recorder Alderman or Aldermen of the said City in the Place and Places of such personn or persons soe Deceased or Remooved Respectively as the case shall Require soe as the said Major soe to bee Elected and Nominated bee att the Time of such Elec^tion and Nomina^tion Actually one of the Aldermen of the said
- p. 3 City and so as the said Recorder soe to bee Elected and Nominated bee A person Learned in the Lawes and soe as the said Alderman or Aldermen soe to bee Elected and nominated bee Actually att the time of such Elleccon and Nominacon of the Co^mon Council of the sd City the said Major Recorder Alderman or Aldermen soe to bee Elected and Nominated first takeing the sev^rall and Respective oathes herein Before men^tioned to bee Appointed to bee by them sev^rally & Respectively taken as afforesd and shall Likewise then fill upp by the like Elec^tion out of from and Among the Inhabitants of the said City the full Number of Tenn Persons to bee Co^mon Councillmen the said persons hereby appointed and named or here-

Liber P C

after to bee Elected and Nominated Major Recorder or Aldermen to bee Justices of the Peace w^hin the said City Precincts and Territories having first taken the usuall oathes appointed to bee taken by the Justices of the Peace and the said Major Recorder and Aldermen hereby named and Appointed or Hereafter to bee Elected or nominated or any Three of Them whereof the said Major or Record.^r for the time being shall bee one shall have w^hin the Precincts of the said City full Power and Authority to make Constables and other necessary officers and to Rule order and Governe the Inhabitants thereof as Justices of Peace are Authorized to Doe and Shall have Power to Execute all the Lawes Ordinances and Statutes in that Behalfe made as fully and Amply as if they were Authorized thereunto by Express Comission and named therein willing and Comanding that noe other of our Justices of Peace or Quorum W^hin our said County or Province doe at any time hereafter take upon Them or any of Them to Execute the Office of a Justice of Peace W^hin the said City thereof Notw^hstanding any Comission att Large Authorizing them Thereunto and f^urther wee will and Graunt unto the sd Major Recorder Aldermen and Co^mon Councill of the said City for the time Being full Power & Authority to make order and Appoint such By lawes and Ordinances Amoung themselves for the Regulacon and Good Government of Trade and other matters Exigences and things w^hin the said Precinctts as to them or to the Major Part of them shall seem meete soe as they bee Consonant to Reason And Not Contrary but so neere as conveniently may bee Agreeable to the Lawes Statutes and Customes of England and of the said Province of Maryland which said By Lawes & ordinances being Ratified and Confirmed by our Selfe or our heires or Lieu.^t of the said Province for the time Being shall bee observed kept and performed by all manner of persons trading and liveing w^hin the sd City under such Reasonable Pains Penalties and fforfeitures as shall be Imposed by the said Major Recorder Aldermen and Co^mon coun-cill or the Major part of them assembled from time to time the said Paines Penalties and fforfeitures to bee Raised by Distress and Sale of the Goods of such persons soe offending and to bee Em-ployed for the Publique Benefitt of the said city att theire Discrecon which said By Lawes and orders shall bee alsoe Repealeable or liable to bee Mittigated or altered att the will of our Selfe our heires or our Lieutenant Respectively And f^urther wee Graunt and Give Licence to the Major Recorder Aldermen and Co^mon Councill of the said City for the time Being and theire Successors ffor Ever to have and Hould one Market weekly w^hin the said City on Every Saturday in the said weeke in some convenient Place to bee by them Appointed w^hin the precincts of the said City and alsoe one ffaire Yearely to bee Kept on the Three and Twentieth day of february in Every Year for the Sale and Vending of all manner

p. 4

Liber P C of Goods Cattle Merchandize and all other Comodities whatsoever and to sett such Reasonable Toll uppon such Goods cattle merchandize and other Comodities as shall bee sold therein Respectively as shall bee Thought fitt by our Selfe our heires or our Lieutenant of our Province for the time Being and shall and may alsoe Have and Hould a Court of Pypowdry Dureing the sd ffaire for the Determinaçon of all controversies and Quarrells w^h may happen therein

p. 5 according To the usuall Course In England in the like cases and wee Graunt unto them all Proffitts and Perquisites Due incident and Belonging to the sd M^kett ffaire and Court Pypowder Provided alwaies that if the sd Major or Recorder soe chosen or to bee Chosen from time to time as afforesd or Either or any of them shall att any time Thereafter misbehave him or themselves in the Execuçon of theire or any of theire sev^{ll} Respective Office or Offices in the Judgment of our Selfe or our Heires or our Lieutenant of the said Province for the time Being And that wee or our heires or our Lieutenant of the s^d Province for the time Being shall Direct and Signify under our his theire or any of theire hand and seale hands and seales to the Aldermen of the sd citty or any two of them that itt is our his or theire Pleasure that such Major or Recorder Respectively soe misbehaveing them or themselves shall bee Remooved or Deposed from the Execuçon of his or theire Respective office or offices Respectively that then and Imediately after the significañ the Authority and Power hereby Given to such Major or Recorder Respectively shall cease and bee voyd and wee hereby Authorize and Appoint that another Major or Recorder Respectively bee w^hin one month next after Ellected and chosen in Manner afforesd as if the said Major or Recorder soe misbehaveing him or themselves and so as us our heires Lieutenant or any of us Directed or Appointed to bee Remooved were Actually Dead as by the said Pattent more fully and more Att Lardge itt doth and may Appear in the said Pattent is sithence become voyd and of noe fforce and Effect by Reason of the nonusier Thereof by the then Inhabitants of the said Place in the said Letters Pattents mençoned and Expressed Now Know Yee further that wee of our Speciall and Certaine Knowledge

p. 6 And Mere Motion and as much as in us lies for us and our heires Doe Graunt to our wellbeloved the Inhabitants of that Place called and knowe by the name of Saint Maryes in the county of Saint Maries that the Place shalbee Erected into a citty w^h shall containe A mile in Length Square w^hin the Places circuits and Precincs thereof And wee doe hereby ffound Erect and Establish the Same a Citty for Evermore And wee doe hereby Graunt and Declare that the Citty shall bee for Ever Heretafter called and named by the name of Saint Maries and by noe other name. And that the sd Citty of Saint Maries shall bee an Incorporated Citty of one Major one person Learned in the Law by the name of Recorder Six Alder-

men and seaven comon counsellmen Inhabiteing within the city for Evermore And That the said Major Recorder Aldermen and comon counsellmen shall bee A Body Incorporate and one Comunity for Ever in Right and name And that they the sd Major Aldermen and Common counsellmen shall have and Beare the name of Mayor Aldermen and Comon counsell of the City of Sainte Maries and by the same name they shall bee called and named and by noe other name and that by the same they shall bee persons able and capeable att Law to bee sued and to sue and to Act Execute and doe as a body Incorporate and to have Succession for Ever and to That End to have a Comon Seale and that Philip Calvert Esquire one of the Inhabitants of the said City shall for the Present bee and bee named Major of the said City for the Ensueing Yeare and John Morecroft Recorder of the same William Calvert Esquire Edward ffitzherbert Esquire Thomas Notely Gentⁱ Daniell Jenifer Gentⁱ Garret Vansweringen Gentⁱ and Marke Cordea Inhabitants alsoe of the said City shall bee Aldermen thereof as Long as they shall well behave themselves Therein having ffirst taken the oath of ffidelity as alsoe the Oath Appointed by us to bee taken by the Major Aldermen and Recorder of the city of Saint Maries and to bee Administered to them Respectively by our Lieu^t of our said Province for the Time being or by Such person or persons as wee or our heires or our Lieu^t of our said Province shall from time to time Authorize and appoint to Administer the Same and that Thomas Dent Richard Moy, William Brooke, Daniell Clocker, Thomas Innis, Thomas Winn, and Thomas Griffin shall bee of the Comon counsell Thereof for soe Long time as they shall well behave themselves therein having ffirst taken the sev^{ll}l oathes herein men^oned and that for the ffuture the said Major Recorder Aldermen and Comon Counsellmen shall assemble in Some Convenient Place w^hin the said City on or uppon the nine and twentieth Day of Septemb^r in Every Yeare and shall then and there Ellect by the Major Vote of such of them as shall bee then present one other Alderman of the Said City to bee Major of the Said City for the Ensueing Yeare and uppon Decease or Remoooveall of the said Major of the Said City for the Time Being or uppon any Decease or Deceases Remoooveall or Remooovealls of the Said Recorder or Aldermen or any of them or w^hin one monthe After Such Respective Decease or Deceases Remoooveall or Remooovealls the Residue of the said Aldermen Together and with the Major if he shalbe living on or the major Part of them Shall att a Sett time by them to bee appointed w^hin the said City and Province Elect and nominate Some of the person or persons to bee Major Recorder Alderman or Aldermen of the Said City in the Place and Places of such person or persons soe Deceased or Remooved Respectively as the case Shall Require Soe as the Said Major Soe to bee Elected and nominated bee at the time of Such Elec^on and nomina^on

Liber P C

p. 7

p. 8

Liber P C Actually one of the Aldermen of the Said Citty and soe as the Said Recorder Soe to bee Elected and nominated bee a person Learned in the Lawes and soe as the Said Alderman or Aldermen soe to bee Elected and nominated bee Actually att the Said time of Such Eleccon and nominacon of the comon councill of the Said Citty the Said Major Recorder Alderman or Aldermen Soe to bee Elected and nominated first having the Severall and Respective Oathes herein before menconed to bee Appointed to bee by them Severally and Respectively taken as afforesd and shall Likewise then fill upp by the like Eleccon out of from and Among the Inhabitants of the Said Citty the full number of the seaven persons to bee comon Councillmen the Said persons hereby appointed or nominated or hereafter to bee Elected and Nominated Major Recorder or Aldermen to bee Justices of the Peace w^hin the Said Citty Precincts and Teritories having first taken the usuall Oathe Appointed to bee taken by the Justices of Peace and the Said Major Recorder and Aldermen hereby named and Appointed or hereafter to bee Elected and Nominated or any Three of them whereof the Said Major or Recorder for the time being shall bee one shall have w^hin the Precincts of the Said Citty ffull Power and Authority to make Constables and other necessary officers and to Rule Order and Governe the Inhabitants thereof as

p. 9 Justices of Peace are Authorized to Doe and Shall have Power to Execute all the Lawes and ordinances and Statutes in that Behalfe made as ffully and Amply as if they were Authorized thereunto by Express comission and named therein Willing and Comanding that noe other of our Justices of Peace or Quorum w^hin our sd county or Province Doe att any time hereafter Take upon them or any of them to Execute the office of a Justice of Peace w^hin the said Citty or the Precincts Thereof Notw^hstanding any Comission att Lardge Authorizeing them thereunto and ffurther wee will & Graunt unto the Said Major Recorder Aldermen and Comon Councill of the Said Citty for the time being full Power and Authority to make order and Appoint Such By Lawes and Ordinances Among themselves for the Regulacon and Good Governm^t of Trade & other Matters Exigences and Things w^hin the Said Precincts as to them or the Majo^r Part of them shall seeme meete soe as they bee Consonant to Reason and not Contrary but as nere as Conveniently may bee Agreeable to the Lawes Statutes and Customes of England and of the Said Province of Maryland wth Said By Lawes and Ordinances being Ratified and Confirmed by our Selve our heires or our Lieutenant of the the Said Province for the time Being shall bee observed Kept and Performed by all manner of Persons Tradeing and Living w^hin the Said Citty under Such Reasonable Pains Penalties and fforfeitures as Shall bee Imposed by the Said Major Recorder Aldermen and Comon Councill or the Major Parte of them

then assembled from time to time the Said Paines Penalties and
 fforfeitures to bee Raised by Distress and Sale of the Goods of
 Such Persons Soe offending and to bee Employed for the Publique
 Benefitt of the Said Citty att their Discrecon w^h By Lawes and
 orders Shall be alsoe Repealeable or Liable to bee Mittigated or
 Altered att the Will of our Selve our heires or our Lieutenant Re-
 spectively And further wee Doe Graunt Give ffull Power Licence
 Priveledge and Authority to the Major Recorder Aldermen and
 Comon councill of the Said Citty for the time Being and their
 Successors for Ever to Send two cittizens or Delegates to Every our
 Assembly or Assemblies hereafter to bee Held or att any Time or
 Times hereafter to bee called to bee Held for this our Said Province
 of Maryland to bee Elected and Chosen by the Said Major Recorder
 Aldermen comon Councill and ffree citizens of the sd city or the
 Major part of them then p^sent by Vertue of our writt or writts of
 Eleccon to bee Sent to them for that Purpose w^h Said writt or writts
 wee Doe hereby Graunt shall bee Issued out and sent unto them
 when and Soe often as occacon Shall bee and when hereafter there
 shall happen any Genn^l Assembly to bee held according as writts
 are sent to the Severall and Respective Counties for Eleccon of
 deputies or Delegates for their severall and Respective Counties
 in this Province of Maryland and wee further Graunt that the said
 citizens and Delegates by them Soe as afforesd Elected and sent
 Shall have ffull and ffree Votes or voyces in all and Every our Genn^l
 Assemblies Touching or concerning all matters or Things there to
 bee Discussed and Handled as other the Deputies or Delegates of the
 Severall and Respective Counties fformerly have had now have or
 hereafter Shall have And further wee Graunt and give Likewise
 to the Major Recorder Aldermen and Comon Councill of the Said
 city for the time Being and their Successors for Ever To have and
 to hould one market weekly within the Said Citty on Every Saturday
 in the weeke in Some Convenient Place to bee by them appointed
 w^hin the precincts of the Said Citty and alsoe one ffaire Yearley to
 bee Kept on the three and twentieth day of ffebruary in Every Yeare
 for the Sale and Vending of all manner of Goods cattle merchandize
 and all other comodities whatsoever and to Sett such a Reasonable
 Toll uppon such Goods cattle Merchandise and other comodities as
 shall bee Sould Therein Respectively as shall bee thought fitt by our
 Selve our Heires or our Lieutenant of our sd Province for the time
 Being And shall and may alsoe have and hould a court of Pypowdry
 During the said ffaire for the Determinacon of all Controversies and
 Quarrells which may Happen Therein according to the usuall course
 in England in the like cases and wee Graunt unto them all Proffits
 and Perquisites Due insident & Belonging to the Said Market ffaire
 and Court of Powder Provided alwaies that if the Said Major or

Liber P C

p. 10

p. 11

Liber P C Recorder soe chosen or to bee chosen from time to time as afforesd or Either or any of them shall att any time hereafter misbehave him or themselves in the Execu^{co}n of theire or any of theire Sev^{ll} and Respective office or offices in the Judgm:^t of our Selfe or Heires or our Lieutenant of the Said Province for the time Being and that we or our Heires or our Lieutenant of the Said Province for the time Being shall Direct and Signify under our his theire or any of theire hand and Seale hands & Seales to the Aldermen of the Said City or any Two of them that itt is our his or theire Pleasure that such Major or Recorder Respectively Soe misbehaveing him or themselves Shall bee Removed or deposed from the Execu^{co}n of his or theire Respective office or offices Respectively that then and Imediately after Such Significa^{co}n the Authority and Power hereby Given

p. 12

too such Major or Recorder Respectively Shall cease and bee voyd & wee hereby Authorize and Appoint that another Major or Recorder Respectively bee within one mounth next after Elected and chosen in manner afforsd as if the said Major or Recorder soe misbehaveing him or themselves and soe by us our heires or Lieutenant or any of us Directed or Appointed to bee Remooved were Actually Dead Given att our Said city of Saint Maries under our Greate Seale of the Said Province the Eleaventh day of September in the fortieth Yeare of our Dominion over Maryland Annoque Domini One Thousand Six hundred Seaventy and One Wittnes our Deare Sonn Charles Calvert Esquire our Captaine Generall and Chiefe Governor of our Said Province of Maryland

Charles Calvert

Inrolled the Eleaventh of September 1671.

Robert Ridgely Reg.^r

The oaths of Fidelity to the Right Hono:^{bl} the Lord Proprietary I AB doe ffaithfully and truely Acknowledge the Right Hono:^{bl} Cæcilius Lord Baron of Baltemore to be the true and Absolute Lord and Proprietary of this Province and country of Maryland and the Islands thereunto Belonging And I doe Sweare that I will Beare true ffaith unto his Lo:^p and his heires as to the true and Absolute Lords and Proprietaries of the Said Province and Islands thereunto Belonging and will not att any time by words or Ac^{co}ns in Publique or in Private wittingly or Willingly to the Best of my understanding any waies Derogate from Butt will at all times or occa^{co}n Shall Require to the uttermost of my Power defend and Maintaine all such the said Lo:^{ps} and his heires Right title Interest Priviledges Royall Jurisdic^{co}ns Prerogative Propriety and Dominion over and in the Said Province of Maryland and Islands thereunto Belonging and over the People who are and Shall bee therein for the time being as are Graunted or men^{co}ned to bee Graunted to the Said Lord^p

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and his heires by the King of England in his Said Lord^{ps} Patent

of the Said Province under the Greate Seale of England I doe alsoe Liber P C
 Swear that I will with all Expediō Discover to his said Lord^p or
 to his Lieu.^t or other Governor of the said Province for the time
 Being And alsoe use my best Endeavours to prevent any plott
 Conspiracy or combinaō which I shall Know or have Just cause to
 Suspect is or Shall bee Intended Against the Person of his said
 Lord^p or which shall tend any waies to the Disherison or Deprivaō
 of the said Lord^p or his Said heires their Right Title Royal Juris-
 dicō and Dominion afforesd or any part thereof and I doe Swear
 that I will not Either by my Selfe or by any other person or persons
 Directly or in Directly take accept Receive Purchase or Possess any
 Lands Tenement or Hereditiments w^hin the said Province of Mary-
 land or the Islands thereunto Belonging from any Indian or Indians
 to any other use or uses but to the use of the Said Lord^p or his heires
 or knowingly from any other person or persons not Deriving a
 Legal Title thereunto by from or under Some Graunt from his
 said Lord^p or his heires Legally Passed or to be passed under his or
 their Greate Seale of the sd Province for the time Being Soe helpe
 mee God and by the contents of this Booke.

The forme of the oathe to bee taken and to bee Given Major Re-
 corder and Aldermen of the City of Saint Maries

Saint Maries in Maryland

You Shall Swear that you will bee true and ffaithful unto the
 [Right] Hono.^{ty} Caecilius Lord Baltemore Lord and Proprietary of
 this [Province] of Maryland and the Islands hereunto Belonging
 and to his [heires] and Proprietaries of the Same and to the Lieuten-
 ant or Cheife Governo.^r here for the time Being and Shall not att
 any time [Doe] anything to the prejudize of his said Lord^{pp} or his
 heires or p. 14
 Their Government as itt is Established in this
 Province of Maryland you shall will and Truly Execute the office
 of Major within the City of Saint Maries City and the Precincts
 and Liberties thereof according to the Best of your Skill Knowledge
 and Power Soe Helpe you God &c.

Maryland ss By his Excellency the Genn.^l

These are to Empower You as Chancello:^r of this Province to
 Issue out of the High Court of Chancery and Signe and Seale a
 Dedimus Potestatem to the Major and Recorder of the City of Saint
 Maries to Swear the Major Recorder & Aldermen and Coñon
 Councillmen according to the Tenour of these oathes that are ap-
 pointed by his Lords^{ps} Gracious Charter to them of the Eleaventh
 Instant And to empower Alderman William Calvert to Swear you
 as Major of the Said City and when you are Soe Sworne to Em-
 power you to Swear the Aldermen and Coñon councill Thereof and

Liber P C further these are to Empower and Desire you as Chancello.^r of this Province to issue out a writt out of the Said Court of Chancery and Sign the Same Directed to the Major Recorder Aldermen & coñon councillman of the Said City and other the citizans Inhabitants thereof to Empower and Require them to Elect and chuse Two Inhabitants of the Said City to bee Delegates for the Same att the next Genn^l assembly and for yo^r proceedings therein this Shall bee yo^r warrant Given under my hand and Seale this Eleaventh day of September in the 40.th Year of the Dominion of Cæcilius &^c Annoq; Doñ 1671

Charles Calvert

To the Hono^{bl} Philip Calvert Esq.^r
Chancello.^r of Maryland

p. 15 Cæcilius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &^c To our Trusty and welbeloved our Deare Brother Philip Calvert Esq; and our Deare Nephew William Calvert Esq; Greeting whereas wee have Lately by our Letters Pattents under our Greate Seale of our Said Province of Maryland nominated and Appointed you the Said Philip Calvert Esq; to bee Major of our City of Saint Maries in the Said Province for the time Being and you the Said William Calvert one of the Aldermen of the Said City w^h Severall other persons in our Said Letters Pattents named to bee Aldermen Recorder and coñan Councillmen of the Said city as by the Said Letters Pattents Relation being thereunto had more ffully and more att Large itt doth and may appeare Now Knowe Yee that wee Reposeing Great Trust and Confidence in Your fidelitie & Prudence Circumspec^tions have assigned you and by Vertue of these p^rsents doe Give unto you ffull Power and Authority you the sd Philip Calvert Esq; haveing first taken the oathes of ffidelity to our Selve and of Major of our Said city uppon the holly Evangelists w^h oathes wee doe hereby Empower and Authorize you the Said William Calvert Duely to Administer unto the Said Philip Calvert, and you the Said Philip haveing Received and taken the Said oathes wee Doe hereby Authorize you to Administer the like oathes of ffidelity and Alderman in our Said Lett^{rs} Pattents men^tioned unto the Said William Calvert w^{ch} being Done and performed that then you call and cause to come before you the other Persons in the sd Lett^{rs} Pattents named and Appointed to bee Recorder Aldermen and com^{on} councillmen of our Said city of Saint Maries Duely and truly to Administer unto them & every of them Joyntly or Sev^{lly} Said Severall and Respective oathes before men^tioned uppon the Holy Evangelists and when you have soe Done wee Doe will & coñann^d you that you Doe under your hands and Seales certifie us of your whole Proceedings herein w^hout Delay into our court of Chancery wheresoever itt Shall then bee Together w^h

this writt Wittnes our Selfe att our citty of Saint Maries the Eleaventh Day of September in the 40th Yeare of our Dominion over our Said Province of Maryland Annoque Domini One Thousand Six hundred Seaventy One

Liber P C

P: Calvert Canc: r

Cæcilius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &c To the Mayo^r Recorder Aldermen and co^mon councill of the citty of Saint Maries Greeting whereas by the Advice and consent of our councill wee have determined to hold an Assembly of the ffreemen of our Province on the tenth day of Octo^r next Ensueing there to consider of certaine thinges concerning the State and Wellfare of this our Province of Maryland wee co^mand you the Said Mayo^r Recorder Aldermen and co^mon councill that making Proclama^con as soone as conveniently may bee after the receipt of this writt You cause to bee Elected Two Discreet cittizens to serve as delegates for the Said citty in the said Assembly there to Doe and consent to such things as by comon consent shall happen to bee Ordeined and Enacted in the businesses aforesd So that through want of Sufficent Power or Inconsiderate Ellec^con of the aforesaid Delegates the businesses aforesd may not Remaine undone or neglected and make your Returne of the Writt into the Secretaries Office by the Second day of Octob: next Together w^h the names of the Said cittizens Elected to bee delegates for the Said citty as aforesd Given att our Said citty of Saint Maries under the Greate Seale of our Said Province of Maryland the 15^o day of Septemb^r in the fortieth Yeare of our Dominion over our Said Province Annoq³ Do^mi 1671

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October 2^o 1671

came Philip Calvert Esq³ Mayo^r of the citty of Saint Maries and made Retourne of the Writ as ffolloweth—on the backside thereof—

By Vertue of the Writ of the Right Hono^r:^{bl} the Lord Prop^{ty} w^hin written into his Secretaries Office wee Doe certefie that on the 29^o day of Septemb^r after the Receipt of this Writ according to the fforme of this w^hin written Writt Proclama^con being made att the Said citty in the p^sence of the Major Recorder Aldermen and co^mon councill and the Rest of the free cittizens that then p^sent were to bee Elected wee have caused Two discreete cittizens To wit John Morecroft Recorder and Thomas Notley Alderman of the Said citty to Serve as delegates to the Said Assembly att the Day and Place in the w^hin written Writt men^coned there to Doe and consent to such things as by co^mon consent shall Happen to bee Ordeined and Enacted in the businesses in the Said writt w^hin written men^coned According to the fforme and Effect of the w^hin written Writt

Philip Calvert Mayo^r.

Liber P C Cæcilius Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltemore &c To John Morecroft gentlⁿ Recorder of our city of Saint Maries Greeting who was by our Writt Yssueing out of our court of chancery Expressing that whereas by the Advice and consent of our councill wee have Determined to hold an Assembly of the ffreemen of our Said Province

p. 17 on the tenth day of the Instant Octob:^r att our Said city of Saint Maries there to consider of certaine things concerning the State and Wellfaire of this our Province of Maryland, and to that End wee did command the Majo^r Record:^r Alderman and common councill of our Caid city that making Proclamaçon as soone as conveniently might bee after the Receipt of our Said Writt they Should cause to bee Elected Two discreete cittezans to Searve as Delegates for the Said city in the Said Assembly and there to doe and consent to those things as by comon consent Should Happen to bee Ordeined and Enacted in the businesses afforesd so that through want of Sufficient Power or inconsiderate Ellecçon of the aforesd Delegates they should make Returne of the Said Writt into o^r Secretaries Office by the Second Instant Together wth the names of the Said cittizens Elected to bee delegates for the Said City as aforesd by Vertue of which Said Writt Philip Calvert Esq^r Majo^r of the Said City hath certefied into o^r Said Office that on the 29:^o Day of Septemb^r after the Receipt of the Said Writt and According to the fforme of the Same Proclamaçon being made att the Said city in the p^sence of the Majo^r Record^r Alderman and comon councill, and the Rest of the free cittizens that then p^sent were to bee Ellected they had caused Two discreete cittizens To Wit You the Said John Morecroft Recorder and Thomas Notley Alderman of the Said city to Serve as delegates in the Said Assembly att the day and Place in the Said writ mençoned, there to doe and consent to such things as by comon consent Should happen to bee ordained & Enacted in the businesses in our Said Writ mençoned, According to the forme and Effect of the Same wee Doe there fore will and comannd You the Said John Morecroft that all Excuses what soe asid You bee and appeare personally att the S^d Day and Place to Doe & consent to those things which then by the favo^r of God Shall there Happen to bee Ordained by us by the Advise and consent of our Greate councill of our Said Province concerning the Occoccons and afaires offoresaid, and this You Shall noe waies Omit under the Perill thereuppon Ensueing Wittnes our Selfe att our city of Saint Maries the 3:^o Day of Octo:^r in the 40:^o Year of our Dominion over our Said Province Anno^q Domⁱ 1671 The like Writt Yssued unto Thomas Notley Gentl one of the Alderman of the city of Saint Maries above mençoned Return &: Eodem Die

At a Court held for the Chancery and Provinciaall Court began on Tuesday the 17th day of October in the fortieth yeare of the Dominion of Cæcilius &c Annoque Domini 1671 att the City of St Maryes and there continued untill the Three & twentieth day of the same October on Tuesday the 17th was Present.

His Excellency Charles Calvert Esq^{ps} Cap^t Generall and Cheif Judge in Equity, The hono^{ble} Philip Calvert Esq^{ps} Chancelour

William Calvert	} Esq ^{ps}	Samuell Chew &	} Esq ^{ps}
Baker Brooke		Edward ffitzherbert	

The Court being called as usually.

The writ of Diminution betweene Stone & Cressy by the Comissioners of Charles County wth their proceedings in obedience thereto was retorned into the Co.^{rt}

The Sheriff of st Maryes County makes retorne of his writ of Ad Quod Damnum to him directed in the behalfe of John Allen Marchant, for his water Mill.

The Com^{rs} of Baltamore County retorned into Court the Mandamus & their Inquisition in obedience to the same about M.^r Hattons Estate.

Then also did Samuell Chew Esq^{ps} deliver into Co^{rt} the answer of Richard Snowden to the bill of Compl^t of Jonathan Hopkinson, taken before him by vertu of a Comission out of this Court to him Directed for that purpose

The Court Adjourned untill the 18th instant two of the Clock in the afternoone.

The 18th of October 1671. The Court met. p^rsent as before.

The Court adjourned till the 20th instant.

The 20th of October 1671. The Court met. p^rsent as before.

The Court adjourned whilst the 21th instant.

The 21th of October 1671. This Court Met. Present

His Excellency Charles Calvert Esq^{ps} Cap^t Generall & Chief Judge in Equity

The hon^{ble} Philip Calvert Esq^{ps} Chancelour

Baker Brooke and	} Esq ^{ps}
Edward ffitzherbert	

Liber P C John Robinson p^{lt} } This business being the last Court by
 ag^t } Consent of the parties on both sydes re-
 Benjamin Rozer & } defts } ferred unto M.^r Thomas Notley and M.^r
 Thomas Sprigg } } Thomas Lomax who were desired to Ex-
 } } amine State and Audit the whole busines and to make report to this
 } } Court here this day how they found it as by the said ord^r relation
 } } being thereunto had more fully doth appeare, by vertu of which said
 } } order of this Court the said Thomas Notley & Thomas Lomax made
 } } this Ensueing retorne on the backside of the said order & Exhibited
 } } the same into Court this day (viz^t)

By vertu of the within ord^r wee the within named Thomas Notley and Thomas Lomax have veiued Examined stated and audited the whole busines within mentioned. And thereupon doe humbly p^rsent unto this hono^{ble} Court this our Reporte in manner and forme following (viz^t).

Wee finde due to the Comp^{lt} from Edward Richardson upon the Account of the Copartnershipp (all private debts Reciprocally betweene them being defalcated and fully discompted) the Just sume of Tenne Thowsand Eight hundred and ninety pounds of Tobacco.

p. 19 Secondly Wee doe reporte that the Comp^{lt} ought to beare his proportion of what bad Debts (if any there be) relating to the said Copartnershipp. Given und^r our hands the sixteenth day of October in the fortieth yeare of the Dominion of the Right hono^{ble} Cæcilius &c over this Province and in the yeare of our Lord 1671.

Thomas Notley.

Thomas Lomax.

Upon w^{ch} foregoing Reporte of the Said M^r Thomas Notley, and M^r Thomas Lomax being read in open Court and mature Deliberation being had thereupon by the Justices of the said Court

It is this day ordered that the Defend^t Rozer, Keepe what Tobacco he hath in his hands untill the next Co^{rt}, and then that he bring in an account of what bad Debts their are belonging to the Copartnershipp, and that the Comp^{lt} and his Attorney be then p^rsent to make their Exceptions, against the said Rozers account, that the Justices of this Court perusing th^e same, and hearing what both parties can alledge may doe therein as to Justice apperteynes.

John Stone } The writ of Diminution beinge Retorned the first
 ag^t } day of this Court & the proceedings of th^e Com^{rs}
 Samuel Cressy } of Charles County betweene y^e Said p^{tyes}. It is
 } by the Court ordered That time be given to the Attorney of Stone,
 } to assigne his erro^{rs} untill the first day of the next Court.

John Balley Cp^{lt} } M^r Robert Carville Attorney for y^e Comp^{lt} Liber P C
 ag^t } Balley having absented himself & the Comp^{lt}
 James Neale defend^t } alledging he wanteth his papers, ordered that
 the Comp^{lt} reteine another Attorney both in this & the Crosse cause
 betweene the said p^{tyes}; and heare the further Judgem^t of this
 Court in the p^rmisses on the 23th instant

Henry Bonner Comp^{lt} } The Commissioners of Charles County
 ag^t } making retorne of the writ of Error be-
 John Hatch & } defend^{ts} } tweene the said p^{tyes} & a Copy of y^e
 Robt Rowlands } proceedings in the County Court, The
 Said Bonner allowed whilst Tuesday the 24th instant to assign his
 Error^s and if he shall not assigne the same by that day to be dis-
 missed out of this Co.^{rt}

Mr. Robert Carville one of the Attorneys of this and the Pro-
 vinciall Court, having absented himself, whereby many of his Clients
 might (should not the Court be more favorable) come to great
 Damage by such his absence, This Court therefore have thought fit
 to order that in all causes Either in this or the Provinciall Court,
 wherein the said Mr. Carville is an Attorney Either of the one side or
 the other that the same be Continued & respited whilst the next
 Court, and be then in the same plight and Condition, as if the said
 Carville had not absented himself and in the meane time his said
 Clients to provide & reteine another Attorney at their perills:

The Court Adjourned untill the three & twentieth instant.

The 23th of October 1671. The Court met. Present as before. p. 20

James Neale Comp^{lt} } The Comp^{lt} petitioning this Court that whereas
 ag^t } he was Employed by the defend^t then Attorney
 John Balley defend^t } of John Nethway, to dispose of certaine wines
 within this Province which was in p^{tn}ership betwixt p^t y^e said
 Balley & y^e sd Nethway, about which severall Suites have risen,
 between y^e Comp^{lt} and Defend^t by reason whereof few or no Re-
 turnes of the produce of the said wines hath beene made to the said
 Nethway, And the Comp^{lt} having now received a L^{re} of Attorney
 from the said Nethway to call the said Balley to accompt for the same
 and to make returnes thereof according to advice by L^{re} to the
 Comp^{lt}, and also that the said Nethway hath by L^{re} advised the
 defend^t thereof.

The Said Comp^{lt} prayeth this Court to order that the Comp^{lt}
 might make retorne of what Tobacco he hath bills for in his hands
 to the said Nethway, and that what bills the said Balley hath in his
 hands belonging to the said Nethway, may not by the said Bayley be
 received or sued for till such time as the Comp^{lt} can Recover the

Liber P C said bills out of his hands for the use of the Said Nethway according to the power by him Given to the Comp.^{lt}

The Court demanded sight of the said L^{re} of Attorney from the said Nethway to the Comp^{lt}, which being by the Comp^{lt} accordingly produced, the Court Demanded proove of the Said L^{re} of Attorney to be the Act and Deed of the said Nethway, which the Comp^{lt} not being able to make appeare any other wayes then by Comparing of hands, and the Court not allowing that a sufficient proove, It is by the Court this day ordered.

That the Comp^{lt} have time whilst ffebruary Court, to prove his L^{re} of Attorney from Nethway, and in the meane time that the Debitor^s, to y^e estate in question have notice given them, not to make payment of their debts to Balley, unless he shall p^{re}cure a new power from Nethway, and that the Comp^{lt} Neale become bound by Recognizance to the Lord Proprietary in the sume of One hundred Thousand pounds of Tobacco & Casque, that when the Difference shall be Decided, that he shall pay to the Defend^t Balley, what the said Defend^t shall make appeare to be his due & proper pt &. Right out of the wines now in question.

The Said Comp^{lt} Cap^t James Neale in obedience and compliance with the said orders here in open Court this day that is to say the 24th day of October in the 40th year of the Dominion of Cæcilius &^c Annoque Domini 1671. did acknowledge himselfe to owe and stand indebted unto the Right hono^{ble} the Lord Proprietary in the full & Just sume of One hundred Thowsand pounds of Marchantable Tobacco and casque.

In case the said Cap^t James Neale shall not answere to John Balley the p^{ro}duce of the wines claimed by the said Balley, whensoever it shall appeare to this Court that the said wyne appteine to Balley and not to John Nethway as the said Cap^t Neale alledges Now they doe.

Maryland ss At a Court held for the Chancery and Provincial Court begun on Tuesday the nineteenth day of December in the fortieth year of the Dominion of Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and avalon Lord Baron of Baltamore &^c Annoq Domini 1671. at the City of St Maryes and there Continued untill the three & Twentieth day of the Same December on ffryday the two and twentieth was Present.

His Excellency Charles Calvert Esq Cap^t Generall & Cheif Judge in Equity.

The hono^{ble} { Philip Calvert Esq Chancelour
William Calvert &
Edward ffitzherbert } Esq^s

John Halfhead Comp^t } The parties p^t and Defend^t having Re- Liber P C
ag^t } plyed, and the cause being appointed for p. 21
Joseph Edloe defend^t } hearing this Court, and the Defend^t being
served with a Subpoena to heare Judgement, does appeare and the
Comp^{ts} Attorney likewise, the cause thereupon coming to hearing
this day before his Excellency Charles Calvert Esq^r Cap^t Gen^lall
of this Province and Chief Judge in Equity, The hono^{ble} Philip
Calvert Esq^r Chancelo^r of this Province, and the Rest of their Asso-
ciates Justices of this Court and upon hearing and Debating there-
upon, and upon Reading the Comp^{ts} bill and the Defend^t answer
thereunto, with the Depositions and proofes taken in, this Cause
being all by this Court Seriously viewed and Considered, and hear-
ing of what could be alleged on Either side, This Court was all
Clearly satisfi^d That the Depositions taken in this Cause for the
Complainant be entred upon Record, and so preserved for the future,
that they may be good Evidence for the Comp^t touching the Land
in the bill and answer mentioned, in case the witnesses Should dy
before the same Come in Dispute and that the bill be dismissed out
of this Court as to any Judgem^t to be had thereupon, and that the
p^t Halfhead pay the Defend^t Costs, since the intention of the filing
of that bill was only to p^rserve his Evidence, and there being no
Court as to any Judgem^t of this Court to be had touching the same
It is therefore ordered and Decreed by this Court that the Depositions
taken in this Cause of the Comp^t be Entered upon Record, in the
Records of this Court, and that the bill be Dismissed out of this
Court as to any Judgem^t of this Court to be had touching the same.
And this Court doe further order adjudge ordaine and Decree that
the Comp^t John Halfhead pay to the Defend^t Joseph Edloe the sume
of Two Thowsand pounds of Tobacco for his Costs accordingly.

Interrogatories Exhibited by John Halfhead for the Examination
of witnesses in a Cause depending in Chancery betweene the said
John Halfhead Comp^t, and Joseph Edloe Defend^t.

Imp^rmis Doe you know the p^t and Defend^t.

Secondly Did you know Barnaby Edloe in his life time, and how
long is it since he Deceased, and of what age he was at the time
of his Decease.

Thirdly Whether or no was the said Barnaby the eldest sonne of
his father Joseph Edloe, declare the truth according to the best of
your knowledge.

Fourthly Whether or no did Joseph Edloe the father of Barnaby
Edloe dy. intestate declare the truth to the best of your Knowledge.

Liber P C Hugh Hopewell of Sackawit in Patuxent the 18th day of february 1668, was sworne.

William Asbiston of st Michaels hundred in st Maryes County planter sworne the same day.

Philip Calvert.

Depositions and Examinations of witnessess taken upon oath the 18th day of february 1668 before the hon^{ble} the Chancelour in
 p. 22 a cause depending in Chancery between John Halfhead p^t and Joseph Edloe defend^t on the behalfe of the said p^t as followeth.

Hugh Hopewell of Sackawit in Patuxent planter aged fifty seven years or thereabouts, being sworne and Examined Deposeth and saith as followeth.

1 And to the First Interrogatory he saith that he very well Knoweth the parties p^t and Defend^t in the Title in the Interrogatoryes mentioned.

2 To the second interrogatory this Deponent saith, that he knew Barnaby Edloe in the Interrogatory named but when he dyed or of what age he was at the time of his death this Deponent cannot Depose in satisfaction of the rest of the Interrogatory.

3 To the third Interrogatory this Deponent saith that the said Barnaby Edloe was as this Deponent beleeves the Eldest sonne of the said Joseph Edloe Deceased living at the time of the said Joseph Edloes Death, this Deponent never hearing of any other, and further to this Interrogatory this Depon^t Cannot Depose.

4 To the 4th Interrogatory this Depon^t cannot Depose.

Hugh Hopewell.

William Asbeston of st Michaells Hundred in st Maryes County planter aged 43 yeares or thereabouts sworne and Examined deposeth and saith as followeth

1 To the first Interrogatory he saith he Knoweth the parties p^t and defend^t in this suite.

2 To the Second Interrogatory this Dep^t saith that he Knew Barnaby Edloe deceased in the Interrogatory named but when he dyed or what age he was then of this Deponent cannot Depose, But this much he saith that he doth certainly Knowe that if the said Barnaby had bene living at this time he would have betweene five and Twenty or six and Twenty yeares of age, and more saith not to this Interrogatory.

3 That the said Barnaby Edloe was Eldest sonne of the said Joseph Edloe deceased, and more saith not to this Interrogatory.

4 To the fourth Interrogatory this Dep^t cannot depose.

William Asbeston

March the 6th 1670

Liber P C

At a Speciall Court held at Matapanyent

Present

Charles Calvert Governo^r } William Talbot Secretary
Philip Calvert Chancelour } Baker Brooke Esq

Upon the petition of Hugh Hopewell to amend his Deposition taken in Chancery in the cause depending betweene John Halfhead p^t, and Joseph Edloe defend^t, Ordered that the said Hopewell have license and Doe amend his Depositions taken in the said Cause upon the Record now Extant in the office at st Maryes.

Signed ʒ me Will Brooke Clerke

The Deposition of Hugh Hopewell aged sixty yeares or thereffabouts being sworne saith That Barnaby Edloe sonne of Joseph Edloe deceased if he had lived untill this p^rsent time, (to the best of this Deponents Knowledge) would have been about Eight and Twenty yeares of age, and further this Depon^t saith not

Hugh Hopewell.

Sworne before me the 10th of July 1671

Robert Ridgely Exam Canc.

Joseph Edloe } This Cause by Consent of Attorneys of both sydes p. 23
agt } was Continued
John Halfhead }

John Robinson & } Comp^{ts} } The defend^t Rozer appearing before
Elizabeth his wife } } this Court this day and Exhibiting
agt } } to the Court here a list of what bad
Benjamin Rozer & } def^{ts} } debts their are belonging to the Co-
Thomas Sprigg } } partnership betweene John Lumbroze
late of Charles County deceased and Edward Richardson now Resi-
dent in Ireland as it is sayd according and in obedience to an order
of this Court made the 21th day of October last past, and the Comp^lt
and his Attorney being then p^rsent to make their Exceptions to the
same, and the Court hearing as well the Depositions bill answere
and Replication in the said Cause as also the Report of Thomas
Notley and Thomas Lomax gent^l, Arbitrato^{rs} appointed by this
Court to Examine State and audit the whole business Depending
betweene the Comp^lts and Defend^{ts} and to make Report to the Court
how they found it, the Court are all Clearly satisfyed, and doe hereby
ord^r ordaine and Decree that Benjamin Rozer Defend^t do pay unto
Robinson Comp^lt six Thowsand and Seaventy pounds of Tobacco,
together with Two Thowsand Eight hundred Eighty Eight pounds
of Tobacco for Costs of suite, and that this Decretall order or a

Liber P C Coppy thereof (attested by the Reg^r of this Court for the time being) produced in any Court of this Province save and Keepe harmlesse and forever indemnified the Said Benjamin Rozer his heirs Executo^{rs} Adm^{rs} or Assignes, ag^t the said Edward Richardson his Attorney, or his heirs Executo^{rs} Adm^{rs} or Assignes, or any pson claiming by from or under him them or any of them, as to the said sume of six Thowsand seaventy and foure pounds of Tobacco and Costs, being the proper goods and Estate of the said Richardson in the hands of the said Rozer. The Costs allowed as and by the bill of Costs taxed before his Excellency & Chancelo^r being two Thowsand Eight hundred Eighty Eight pounds of Tobacco.

John Balley ag ^t	}	These two Causes Continued by a former ord ^r untill ffbruary Co. ^{rt}
James Neale		
James Neale ag ^t		
John Balley		

Edward Peerce ag ^t	}	The Defend ^t not appearing by himself or his At- torney in this Court, and theire having beene an Attachm ^t already Yssued out against him, It is ordered by the Court that a Proclamation issue out against the said Revell.
Randall Revell		

p. 24

John Ingram ag ^t	}	These three causes by Consent of Attorneys of both sides are continued untill the next Court.
George Haris		
John Ingram ag ^t		
John Gilbert		
Tobias Wells ag ^t		
John Wright		

Nicholas Brooke ag ^t	}	M. ^r Ward Attorney for the Defend ^t , humbly craves that this cause may be Referred unto the next Court and the Same day is graunted unto both parties
Richard Tilghman		

Jonathan Hopkins ag ^t	}	It is ordered by the Court that the Attorneys of both sides doe attend his Excellency & Councill the next Councill day, at which time his Excel- lency & Councill will take such ord ^r in the prein- ises as to Law & Justice shall appteine.
John Wright and		
Richard Snowden		

John Gould } ag ^t	}	These foure causes by consent of the Attorneys of both sides are Continued untill the next Court.	Liber P C
Joseph Sones }			
Charles James } ag ^t			
John Homewood }			
Margaret Penry } ag ^t			
Tho. Howell & als }			
W. ^m Smith } ag ^t	}		
Rich ^d Ladd }			

The Court Adjourned untill the thirteenth day of ffebruary next

Maryland ss At a Court held for the Chancery and
Provincial Court on Tuesday the thirteenth day of ffebru-
ary in the fortieth yeare of the Dominion of Cæcilius ab-
solute Lord and Proprietary of the Provinces of Maryland
and Avalon Lord Baron of Baltamore &^c over the said
Province of Maryland Annoque Domini 1671, at the City
of st Maryes and there Continued untill the nineteenth of
the same ffebruary on Munday the Said ninetienth day
was Present.

The honorable	{	Philip Calvert Esq	} Esq ^{rs}
		William Calvert	
		Baker Brooke &	
		Edward ffitzherbert	

Joseph Edloe Comp ^{lt}	}	This Cause by consent of the Attorneys of both sides was Continued untill the next Court.
ag ^t		
John Halfhead def ^t		

John Balley Comp ^{lt}	}	In this cause it is ordered by the Court that the p. 25 Defend ^t Neale have time untill Aprill Court to prove his Letter of Attorney and that in the meane time the order made in this Court in October Court last stand and good and remaine inviolable, as touching this Cause.
ag ^t		
James Neale defend ^t		

James Neale Comp ^{lt}	}	This Cause by the Court Continued whilst the next Court.
ag ^t		
John Balley defend ^t		

Liber P C Edward Peerce } In this Cause ordered by the Court that the Comp^{ts}
 ag^t } Attorney prosecute the Contempt with the usuall
 Randall Revell } processes.

John Ingram } It is ordered by the Court that the Comp^{ts} Bill be
 ag^t } dismiss with Costs for want of prosecution.
 George Harris }

John Ingram }
 ag^t } agreed
 John Gilbert }

James Nuthall } Ordered by the Court that upon the bill filing
 ag^t } by the Comp^t that a Subpœna issue out of this
 Kenelm Chiseldine } Court against the Defend^t returnable imedi-
 ately.

Tobias Wells } his Excellency Chief Judge in Equity being this day
 ag^t } absent this Cause by the Court is referred to the
 John Wright } next Court, their being some weighty matters to be
 discussed in this cause, wherefore it is the opinion of the Court that
 it should Come to hearing when his Excellency is p^rsent in Court

Nicholas Brookes }
 ag^t } Ordered by the Court that the Injunction be
 Richard Tilghman } desolved.

Jonathan Hopkinson }
 ag^t } This Cause referred unto the next Councell
 John Wright and } day.
 Richard Snowden }

John Gould } This Cause continued untill the next Provinciall
 ag^t } Court.
 Joseph Sones }

p. 26 Charles James }
 ag^t } The Defend^t will answer by the next Court.
 John Homewood }

Margaret Penry }
 ag^t } The Defend^{ts} will answer by the next Court.
 Thomas Howell & als }

William Smith } Ordered by the Court that an Injunction be
 ag^t } graunted to the Comp^{lt} against the Defend^{ts} to
 Richard Ladd & als } stop their proceedings against him at the Co^mon
 Law.

Maryland ss At a Court held for the Chancery and Provincial Court begun on Tuesday the ninth day of Aprill in the fortieth yeare of the Dominion of Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore & Annoque Domini 1672 at the City of st Maryes and there Continued untill the Twelfth day of the same Aprill, was Present

His Excellency Charles Calvert Esq Capt Generall and Cheif Judge in Equity

The hon^{ble} Philip Calvert Esq Chancelour
 William Calvert
 Baker Brooke
 Samuel Chew and
 Edward ffitzherbert } Esqrs.

James Neale Comp^{lt} } Capt James Neale the Comp^{lt} producing a L^{re}
 ag^t } of Attorney with other papers from John
 John Balley dedend^t } Nethway of ffall, and the Court holding the
 said Letter of Attorney good and Authentique, and Judgeing the
 prooffe thereof by the Testimonials Endorsed good and Sufficient
 It is by the Co^{rt} Ordered that the Defend^t Balley deliver up here into
 Court all the bills that he hath in his hands wherein John Nethways
 name is used, and if he does not p^rforme the same to remaine a
 prisoner in the Custody of the Sheriff of st Maryes County untill
 he hath p^rformed the same unlesse he doe give good Security to
 p^rforme the same in some short time, and also to stand and abyde
 Judgem^t, according to the writ of Ne Exeat Provinciam upon which
 the said Defend^t was taken and that the sheriff take bond of him
 and his Security in the sume of forty Thowsand pounds of Tobacco.

The said Balley delivered up into Co^{rt} here Two bills taken in the
 name of the said Nethway the one from Thomas How for twelve
 hundred and fifty pounds of Tobacco the other from Thomas War-
 ner for three thowsand pounds of Tobacco.

John Balley Comp^{lt} }
 ag^t } This Cause Continued untill the next Court.
 James Neale def^t }

Joseph Edloe Comp^{lt} } This cause was by the Co^{rt} dismissed for want
 ag^t } of prosecu^{on} and that the Comp^{lt} pay unto
 John Halfhead def^t } the Defend^t Two Thowsand pounds of To-
bacco mistake Costs of suite accordingly.

Edward Peerce }
 ag^t } The Defend^t having this Co^{rt} put in his answer p. 27
 Randall Revell } the Comp^{lt} is to Reply or Except ag^t the next Co.^{rt}

Edward Pearce } ag ^t	}	These foure Causes Continued untill the next Provincial Court.
Randall Revell }		
Toby Wells } ag ^t		
John Wright }		
Jonathan Hopkins } ag ^t		
John Wright & } Richard Snowden }		
John Gould } ag ^t		
Joseph Sones }		

Charles James } Ordered by the Co^{rt} that a Comission issue out of
ag^t } this Court to Empower Thomas Taylour and
John Homewood } Mathew Ward gent^l to take the answere of the
Defend^t and make retorne the first day of the next Co.^{rt} in writing.

Margaret Penry } The Defend^{ts} Howell and Palmer appearing
ag^t } p^d in Co^{rt} their contempt money as also En-
Thomas Howell & als } gaged for the Rest with which the p^{ts} Attor-
ney being satisfyed the said Howell and Palmer put in their answeres
and ordered by the Court that a Comission issue out of this Court to
Empower Mathew Ward and Thomas Carleton gent^l to take the
answere of the Defend^{ts} Wells & Gouldsmith & make Retorne of
the same in writing the first day of the next Co.^{rt}

William Smith } This Co^{rt} Continued this Cause untill the next
ag^t } Co.^{rt}
Richard Ladd & als }

The Court adjourned untill the first day of the next Provincial Co.^{rt}

At A Court held for the Chancery and Provinciaall Court
begun on Tuesday the first day of October in the 41th year
of the Dominion of Cæcilius &c Annoq Domini 1672 at the
City of st Maryes and there Continued untill the seaventh
day of the same October were p^tsent

The hono. ^{ble} Philip Calvert Esq ^r Chancelour	
The hono. ^{ble} }	William Calvert
	Thomas Truman
	Samuell Chew
	Baker Brooke and
	Edward ffitzherbert
	} Esq ^s .

Liber P C	John Long Complainant ag ^t Henry Bonner & Elizabeth his wife Administratrix of Walter story deceased	}	Def ^{ts}	Comand was given unto the Sheriff of Charles County that he Attach Henry Bonner and Elizabeth his wife Administra- trix of the goods and Chattells of
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p. 29 Walter story deceased, so that he have them here this day, to answer a certeine Contempt by the Said Henry and Elizabeth Done as it is sayd at the suite of John Long because they have not pformed a Decree and payd Costs. At which day that is to say the first day of October in the 41th year of the Dominion of Cæcilius & Annouque Domini 1672, came Benjamin Rozer gent^l high Sheriff of Charles County, and brought the body of the said Henry Bonner here into Court, w^{ch} Said Henry Bonner p^rsented to the Co^{rs} his petition following, w^{ch} the Court ordered to be Recorded vizt

To his Excellency The Capt Generall and the Rest of the hono:^{ble} Councill of the Province of Maryland &c

The Humble petition of Henry Bonner and Elizabeth his wife, Administratrix of the goods and Chattles of Walter Story Deceased. Humbly Sheweth.

That whereas at a Court of Chancery held at st Maryes on the thirteenth day of ffebruary last past in a certeine matter of Difference there Depending, between John Long of London Marchant, and the said Henry and Elizabeth his wife a decree passed against them for the Summe of Two Hundred forty Eight pounds Eight Shillings Seven pence, Now so it is may it please yo^r hono^{rs} that although at the time of the granting of the said Decree, there was & stood in force an act of Assembly made at st Maryes the 13th day of Aprill 1669, which said Act did allow and provide that all money Debts then already made should be payd in Tobacco after the Rate of three halfe pence per li, yet Nevertheless Thomas Notley Attorney of the said John Long doth Refuse to accept of Tobacco at that price offered him by yo^r pet^r for payment of the said Decree, and likewise the said Long hath Refused the money being proffered to him in England, in Discharge thereof, And further the said M^r Notley Attorney to the said Long doth Deny to accept of any Debts made in Copartnership betweene Walter story deceased and the said John Long although it is adjudged that they were ptners, wherefore by their unjust actions herein they make yo^r poore pet^{rs} wholly incapable of paym^t of the Said Debt w^{ch} they are ready and willing to doe therefore yo^r pet^{rs} humbly craves that yo^r hono^{rs} would be pleased to take it into yo^r Considerations and to graunt yo^r pet^{rs} yo^r ord^r of Court that the said M^r Notley Attorney of y^e Said John Long may Receive yo^r pet^{rs} Tobacco at the Rate mentioned in the said Act of Assembly as aforesayd in full satisfaction of the said Decree, and may be Compelled to accept of an Equall share or proportion of the debts made in Copartnership betweene Them towards satisfaction of y^e Same.

And yo^r pet^{rs} as in Deauty bound shall Ever pray &c

Liber P C

Upon Reading the foregoing petition, the Court is of opinoin that Long the Comp^{lt} ought not to be oblidged to take Tobacco at three halfe pence per pound, and that Henry Bonner one of the Def^{ts} now p'sent in Court & here Delivered by M^r Rozer sheriff of Charles County be Delivered into the Custody of the sheriff of st Maryes County, by him to be kept untill the said Decree be p'formed, and that the Said M^r Rozer sheriff of Charles County not having brought the said Elizabeth the other defend^t, as by his Retorne of the attachm^t he alledged he had, be amerced at the Discretion of the Court unlesse he bring her here the next Court.

Charles James ag^t } The hono.^{ble} Samuells Chew Esq^r Retorned here
John Homewood } into Court by his owne hands the answere of the
Defend^t to the bill of the Comp^{lt} taken & Sworne
to before him.

John Balley ag^t } It is ordered by the Court by Consent of Partyes of p. 30
James Neale } both sides that Neale the Defend^t have all the bills
w^{ch} were by the Register of this Court in open Court accordingly
p'formed and that the said Neale as Attorney to Nethway p'ceed to
sue the the Debto^{rs}, and as speedily as may be get the Effects into his
hands in ord^r to making Ready Tobacco against the next Co^{rt}, when
this Cause is to Come to tryall, and that in the meane time Balley be
Discharged from his Contempt, for not Delivering into this Court
according to the former ord^r of this Court The bill of M.^r Garrat
Vanswearingen, which the said Balley alledged he hath Expended in
necessary accomodation.

James Neale ag^t } This Cause Continued untill the cause depending in
John Balley } this Co^{rt} betweene Balley & Neale shall come to tryall
the next Co.^{rt}

Edward Peerce ag^t } This Cause Revell (having answered) continued
Randall Revell } untill the next Co.^{rt}

Toby Wells ag^t } This Co^{rt} p'ceeded to heare the Demurrer argued, which
John Wright } was accordingly done, & by the Co^{rt} overruled, and
ordered by the Court that the defend^t Wright & his
wife put in their answere to the Bill of Complaint of Wells the
Comp^{lt} ag^t the next Co.^{rt} and that Wright the Defend^t pay unto Wells
Comp^{lt} the Sume of Three pounds Six Shillings and Eight pence
Costs in Tobacco at one penny a pound.

Liber P C Jonathan Hopkins }
 ag^t }
 John Wright & } This Cause Continued untill the next Co.^{rt}
 Richard Snowden }

John Gould }
 ag^t } The Co^{rt} ordered an attachm^t issue ag^t the Defend^t
 Joseph Sones } for want of an answer.

Margaret Penry }
 ag^t } The Co^{rt} the Severall Defend^{ts} put in their
 Thomas Howell & als } answeres & so the Comp^{ts} to reply ag^t next
 Co.^{rt}

William smith }
 ag^t } This Cause (the answeres of most of the Def^{ts}
 Richard Ladd & als } being put in) continued

Henry Scarborough }
 ag^t } This Cause continued.
 Richard Pery & als }

Henry Beedle & ux }
 ag^t } The Defend^t to answer by next Co.^{rt}
 George Wells }

p. 31 ff Francis stocket }
 ag^t } The Defend^t to answer by the next Co.^{rt}
 John Blomfeild }

The Co^{rt} Adjourned untill the Tenth day of December next.

At a Court held for the Chancery and Provincial Court
 begun on Tuesday the Tenth day of December in the 41th
 year of the Dominion of Cæcilius &^c Anno^q Domini 1672
 at the City of st Maryes and there Continued untill Satur-
 day the fowerteenth of the same December were Present

His Excellency Charles Calvert Esq^q Capt Generall and
 Cheife Judge in Equity

The hono^{ble} { Philip Calvert
 Baker Brooke & } Esq^{qs}
 Edward ffitzherbert }

Then was the hono^{ble} Jesse Wharton Esq^q Sworne one of the
 Justices of this Court and tooke his place accordingly.

John Balley }
 ag^t } The partyes Comp^{lt} and Defend^t in both these suites,
 James Neale } being ready for tryall in both Causes, and because
 James Neale } both suites relate to one and the same Concerne
 ag^t } the Court ordered both Causes to come to tryall at
 John Balley } one time, and the Comp^{lt} Balleys bill being Read,
 and Neales answere to the same, and all proofes and
 other papers touching that Cause and the Crosse bill of Neale ag^t
 Balley being also Read & all papers Concerning that Cause, and the
 Causes therupon Coming to hearing this day before his Excellency
 Charles Calvert Esq^r Chief Judge in Equity The Hono^{ble} Philip
 Calvert Esq^r Chancelour of this Province and the Rest of their
 Associates, Justices of this Court and upon Reading the bills and
 answers of the severall Comp^{ts} and Defend^{ts} and the Depositions
 and proofes taken in this Cause, being all by this Court seriously
 veiwed and Considered, and hearing of what Could be alledged on
 Either side, This Court was all all Clearly Satisfyed that John Balley
 the Comp^{lt} is Joint owner of the Cargo of wines in Question, and
 that the account of Sales of the said Cargoe, made by Neale, and in
 this Court filed be referred to audito^{rs}, to state and Examine the same,
 and the Co^{rt} doe hereby appointe M.^r Thomas Notley and M.^r Benjamin
 Rozer to audite state & Examine the same who are hereby
 Desired, to make full Examination into it, and to make Report to this
 Co^{rt} how they find it at the next Co^{rt} that so the Co^{rt} being fullt
 Satisfyed in the busines may Decree & ord^r therein as in Conscience
 and Equity they ought and the Comp^{lt} and Defend^t are hereby
 ordered to attend the said Audito^{rs} at M.^r Notleys house on Such day
 as the said Audito^{rs} Shall appointe, sometime between this and the
 next Co^{rt} that so the said audito^{rs} fully Examining the said account
 may make such Report thereof that the Co^{rt} being fully satisfyed
 thereby may proceed to Decree and ord^r what in the premises in
 Conscience & Equity ought to be Done.

Toby Wells }
 ag^t } This Court doe ord^r the Defend^t to answere by the
 John Wright } next Co.^{rt}

Edward Peerce }
 ag^t } Agreed.
 Randall Revell }

Jonathan Hopkins }
 ag^t } In this Cause it is ordered by the Court that
 John Wright and } publication passe the next Co.^{rt}
 Richard Snowden }

p. 32

John Gould }
 Joseph Sones } In this Cause an attachm^t wth a proclamation to issue
 ag^t } ag^t the Defend^t for want of an answere.

Liber P C Charles James }
 ag^t } The Comp^{lt} hath time to Reply whilst the next
 John Homewood } Co.^{rt}

Margaret Penry }
 ag^t } The Comp^{lt} hath time to Reply whilst the
 Thomas Howell & als } next Co.^{rt}

William Smith }
 ag^t } In this cause a Demurrer is filed in open Court
 Richard Ladd & al } by Robert Carville one of the Defend.^{ts}

Henry Scarborough }
 ag^t } This Cause was Continued untill the next Co.^{rt}
 Richard Pery & als }

Henry Beedle & ux }
 ag^t } if the Defend^t does not answere by Tuesday an
 George Wells } attachm^t to issue.

ffrancis stocket }
 ag^t } the p^{lt} to reply ag^t next Co.^{rt}
 John Blomfeild }

The Co^{rt} adjourned untill the Eleaventh day of ffebruary next.

Maryland ss At A Court held for the Chancery and
 Provinciall Court at the City of s^t Maryes the Eleaventh
 day of ffebruary in the 41.th yeare of the Dominion of
 Cæcilius &c Annoq^{ue} Doñ 1672. And there Continued untill
 the Thirteenth day of the same ffebruary. On the said
 Eleaventh day was p^rsent.

His Excellency Charles Calvert Esq^{ue} Cheife Judge in Equity
 The Hon.^{ble} Phillip Calvert Esq^{ue} Chancell.^r
 William Calvert }
 Thomas Trueman & } Esqs.
 Jesse Wharton }

Betweene John Balley p.^{lt} James Neale Defend.^t And betweene the
 said James Neale p.^{lt} and the Said John Balley Defend.^t

This Cause coming to be heard before his Excellency Charles Cal-
 vert Esq^{ue} Chiefe Judge in Equity. The Hon.^{ble} Philip Calvert Esq^{ue}
 Chancell.^r and the Rest of the Justices of this Court on Tuesday the
 the Tenth day of December, last past. The Court was then ffully
 Satisfied that the Comp^{lt} Balley was Joint Owner of the Cargoe of
 wyne in Question. And did therefore Order that it should be re-
 ferred to M.^r Thomas Notley and M.^r Benjamin Rozer to Audite
 state and Examine the Acc.^{ts} of the Sales of the said Cargo, made

by the defend^t Neale. And to make report to this Court at the then next Court how they found the same that so the Court being fully Satisfied in the business might order and decree therin as in Conscience and equity they ought: And these causes coming to be heard this present day before his Excellency Charles Calvert Esq^r Chief Judge in Equity, the Hon^{ble} Phillip Calvert Esq^r Chancell^r and the rest of their Associates Justices of this Court in the p^rsence of the sev^rall plts and Defend^{ts} in these causes and their Attorneys of both sides And upon produccing of A Report made unto this Court by the said M^r Notley & M^r Rozer in pursuance of the afore recited ord^r which Report beares Date the first day of January last past, wherein they did Certefie that they had (According to their consciences and best Judgemts) Audited Stated & Examined the said Acc^{ts} and had Annexed the same to their said Report, and did find due upon the said Ballance of the same to the said Nethway and Balley from him the said James Neale The Quantity of Thirty Three Thowsand & forty Six pounds of Tobacco and Casque to Conteyne it. And in Regaurd it did appeare unto them That the said Neale had Deteyned the said Sum^e of Thirtye Three Thowsand fforty and Six pounds of Tobacco afforemen^oned from him the said Balley for which he ought long since to have Accompted but had refused to his owne wrong and the Great Damage of him the said Balley they doe therefore (According to the Custome of m^chants in such cases used) Humbly further Report to this Court That the said James Neale ought to pay the aforemen^oned quantity of Thirty Three Thowsand fforty & Six pounds of Tobacco to the said John Balley upon demand out of his owne estate without Charging the said John Nethway and Balley with any badd Debts that hath accrued upon the sale of the said wyne. And whereas the said John Balley did produce to them an Account wherein he charged the said Neale with sev^rall quantitys of Tobacco for Damages Sustained by him the said John by Reason of the said James his not Accounting with him sooner, and had kept him a Long tyme in Trouble in these remote parts of the world from his businesse To Record his Right in this Court and for his Charges and Damages expended and sustained in and about the same and other Charges and expences he had beene at, The same not Lyeing before their Considera^ons to report they had Ommitted it and left the said Balley himselfe to p^rsent it to this Court to Determyne. Whereupon and upon Reading the said Report and heareing what Could be Alledged on either side and having seriously Debated the matters betweene the said partyes. This Court doth think fitt and soe Order and Decree that the said Report and all and only the matters and things therein Conteyned Doe stand Rattified and Confirmed by the Decree of this Court to be observed and p^rformed by the said partyes, to all Intents and purposes. According to the True Intent and meaneing thereof, And that the said James Neale doe

Liber P C forthwith pay unto the said John Balley for the Joint Account of him and the said John Nethway the said sume of Thirty Three Thowsand fforty & Six pounds of Tob. wth Caske to Conteyne it
 p. 34 the same out of his the said James Neales owne proper Estate and not to Charge the said John Balley with any bad Debts. And it is Likewise further Ordered that the said James Neale shall also pay and allow unto the said John Balley his Costs and Damages by him Susteyned by Reason of y^e p^misses To be Cast up Accompted and Allowed of by his Excellency Charles Calvert Esq^r The Hon.^{ble} Phillip Calvert esq^r Chancell.^r & the Hon.^{ble} W.^m Calvert esq^r or any two of them, and what they or any two of them shall so Cast & Compute and allow to be payd by the said James Neale to the said John Balley for his Costs and Damages as afforesaid. It is hereby further ordered & decreed that the same shall stand Rattified & Confirmed by the Decree of this Court to all Intents and purposes without any Appeale from the same or Repeale thereof, And the same is to be paid by the said James Neale to the said John Balley accordingly

Mattapeny ss Wednesday the 26.th of ffebruary 1672

Betweene John Balley plt. James Neale Defend.^t

Betweene the said James Neale plt. & the sd John Balley Defend.^t

In Pursuance of an Ord.^r made in these Causes the Eleaventh day of february instant whereby it is Referred unto his Excellency Charles Esq^r Phillip Calvert and Willm Calvert Esq^rs or any two of them to Cast up Compute and Allow Costs & Damages for the said John Balley: They did in the presens of the Complt Balley and his Attorney (now attending for the Defend^t Neale) though due Notice was given to his Attorney) peruse and Examine a Noate of the pticuler Costs and Damages produced to them by the said John Balley and seriously viewed the same and duly Considered thereof did think fitt & so order that the said John Balley be Allowed for his Costs and Charges expended in these causes the sume of Twelve Thowsand Two hundred twenty nyne pounds of Tobacco and Casque for Chancell^{rs} Secretaries & Sheriffes ffees, and for his Imprisonm^t and other ffees. And further they did order & allow to the said John Balley for his Damages for Staying here and being out of his Tobaccos three yeares the sume of Twenty pounds Sterling p Annū. which in all Comes to the sume of sixtie pounds Sterl. which in Tobacco at one penny p pound Comes to the sume of ffourteene Thowsand ffoure hundred pounds of Tobacco. As also the sume of Eight pounds Sterling for Eighty Hogsheads of Tobacco being the produce of the said wyne to be paid by the said Neale to the said Balley, for the Imposition of Two Shillings p Hogshead lately layd upon Tobacco, the one moyetie of the said Eight pounds Sterl to be to the use of the said Balley and the other moyetie to the use of the

said Nethway, which said sume of Eight pounds Sterl in Tobacco at one penny p pound Comes also to the sume of Nynteene hundred & Twenty pounds of Tobacco. All which said sev^rall sumes allowed for Costs & Damages as aforesaid Doe in the whole in Tobacco Amount to the sume of Twenty Eight Thowsand five hundred fforty & ffoure pounds of Tobacco Which said sume of Twenty Eight Thowsand ffive hundred fforty & four pounds of Tobacco. Together with the sume of Thirty Three Thowsand fforty & Six pounds of Tobacco formerly Decreed to be paid by Neale to Balley in all Sixtie One Thowsand five hundred and nyntie pounds of Tobacco The said James Neale is to pay unto the said John Balley forthwith :

Liber P C

p. 35

Cæcilius Absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c To James Neale Senio^r of Charles County in our said Province of Maryland Gent. Greeting. Whereas a Certeyne ffinall Judgem^t or Decree was lately made before us in our Court of Chancery and there Remayneing upon Record in these words ffollowing. Whereas Heretofore that is to say in ffbruary Court in the yeare of our Lord One Thowsand Six hundred Sixtie nyne John Balley M^cchant Complaynant did Exhibit his Bill of Complt into the High and Hon.^{bic} Court of Chancery against James Neale Defendant. Thereby setting forth that the Complt Arriveing in this Country from ffyall in the moneth of November in the yeare of our Lord One Thowsand Six hundred sixtie eight in A Ketch of London called the Hopewell, whereof Andrew Boone was Master Did bring A Long with him in the said Ketch Twenty Pypes Eleven Hogsheads and ffifty nyne Barrells of wyne making Together Twenty Tonnes for the Account in halves of M^r John Nethway of ffyall and the Complt which wyne were by bill of Loading Consigned to the Complt. And to be Deliv^d in Patuxent River in this Province of Maryland. But the Complt being first Come to Kickatan in Virginia The Defend^t Coming on Board the said Ketch did Informe the Complt. That there was great Altera^{co}n in Maryld since the Compls departure thence, Especially Concerning the Establishing of Townes with such strictnesse that noe pson Could have any Store or sell any Goods but at such Townes which was very Inconvenyent for Trade. And withall Told the Complt that he had A Priveleged place where the Complt might ffreely Land his wyne. And that he would be asistant to him both in the sale of the said wyne and in receiveing the produce: And thereupon the Complt having had former Acquaintance with the Defend.^t And Reposeing great Confidence in his Integrity did Agree with the Defend^t to put the said Twenty Tonnes of wyne into his hands for sale. And Accordingly did with the masters Consent Land all the said wyne upon the said Defend^{ts} plantacoⁿ To be put into the Defend^{ts} storehouse which he had Provided for that Purpose And the Defend^t was to

Liber P C sell the wyne for the best prize he could procure And to Give a True & iust Account of their sales and produce. And to ffollow the Complt order in the Disposall of the Proceed thereof. And for his paynes and Comission and Storehouse the Complt was to Allow him
 p. 36 Seaven and a halfe p Cent.^o That the Defend^t haueing made Sale of all the said Wynes, and being called to an Account by the Complt for the same, had Rendered an Imperfect Account which ought to haue beene Rectified in that he had put in an excessive Rate for the hyre of Sloopes and men which he never hyred either, As also for Coopers to mend the Casque when there was noe Occassion, And sold Sev^rall of the said wyne for Two Thowsand pounds of Tobacco p Pipe, when the Complt with the privity of the Defend.^t had Agreed with the same psons for Two Thowsand five hundred pounds of Tobacco p pipe, whereby the said Complt and Partner were Damnyfied Three Thowsand pounds of Tobacco at least And the Defend^t hath also Ommitted out of his Account Six barrells of wyne which was Stollen or drunck by his Servants who had the Key of the store which at foure hundred pounds of Tobacco p barrell Come to Two Thowsand four hundred pounds of Tobacco, besides he had Omitted these sumes and quantiytes ffollowing (vizt) Sold unto John Browneing ffourteene barrells of wyne for Seaven Thowsand pounds of Tobacco. To M^r Measure One gallon. To M^r Chasse Two gallons. To John Charles Two gallons. To Matewood Six gallons. To Arthur Thomson One gallon in all Twelve gallons which amounted to the Sume of Two hundred & ffortye pounds of Tobacco, for all which he ought to have Accounted and ought to be allowed to the Complt and his Coepartner, besides foure Barrells he had Spent for his owne ffamily drinking, which comes to Two Thowsand pounds of Tob. As also the Complt and his partner are Damnyfied ffour Thowsand Eight hundred Seaventy and five pounds of Tobacco in that the Defend^t had Contrary to the Complt order which he was to follow Sold Thirty wyne Barrells more then the first Pypes for Two Thowsand pounds of Tob p pipe when he might and had order not to sell the same under ffive & Twenty hundred pounds of Tobacco. And the Complt ffurther Shewed that the Said M^r Nethway did give order To M^r William Taylor of Boston in New England to Send into this Province Vessells to take in the Tobaccos which was the produce of the Said wyne. And Accordingly the Said Willm Taylor did take freight upon the Endeavor of Boston whereof was Master Samuell Legg for ffifty Hogsheads of Tobacco at Twenty Shillings p.Hogshd. and although the Complt did give order to the Defend^t to Lade the Said quantity of ffifty hogshds of Tobacco and that the Said Defend^t had in his hand reced of the produce of the Said wyne more by much then would Answer the said ffreight yet the Defend^t did Lade noe more then Thirteene Hogsheds of Tob and Seaven Barrells of Porke, wherby the Complt

and his Coepartner were Damnyfied the Sume of Thirty five pounds in money which the Defend.^t ought in Equity to make good. And the Defend^t Refused to let the Complt have the Remaynder of the produce of the Said wyne or the Bills taken for the Same that he might Endeavor the recov^y thereof to the Complt and his Partner's great Damage. Therefore that the Defend^t might Come to a Just & true Account for the produce of the Said wyne and make Satisfac^on to the Complt for the produce thereof with Damages for dead ffreight and other unjust deteyneing the Same and that the Defend^t might upon his Oath true Answer make to all & Singular the p^rmisses and that the Complt Might be Releived therein According to Equity he humbly Craved the favorable Ayd & Assistance of this Hon^rable Court and that processe of Subpe^ana might be thereout Awarded to Appare in the Said Court and Answer the p^rmisses. The which being graunted and the Said Defend^t therewithall served He appeared Accordingly And putts in his Answer to the Said Bill. And thereby did Sett forth that the Said Ketch Comeing to Anchor in yorke Riv^r in Virginia The master thereof Boone did Invite the Defend^t on board and desired the Defend^t to Pilot him up Potomack Riv^r the defend^t refusing to goe to Patuxent which he did and Boone paid him for the Same. And Comeing to an Anchor neare S^t Georges Island in Maryland The Complt Received Advise that Our Raymond Stapleford had a Judgem^t against him which made the Complt unwilling to goe to Patuxent. But he Came and Agreed with this Defend^t to Receive & Sell the Said wyne which he pretended was in partnership betweene him & Nethway And then gaue the Defend^t A power to that Effect with promise to Allow him Seaven and a halfe p Cento. for Sale & Selleradge and Assisting to Recov^r Debts. And further to allow unto the Defend^t all other necessary Charges w^{ch} he should be at about the Said wyne. And the next day ffollowing the plt had Advice from some m^rchants and planters that there were Certeyne psons Coming to Call him to Account for four Bayles of Silke Carryed by the plt from New England to Bilboa in Spayne So that he the Said plt gave this Defend^t Another Order writt with his owne hand to this Effect. (vizt) Cap^t Neale M^r John Nethway of ffyall hath shipped on Board in the Hopewell of London Andrew Boone Master Twenty Tonns of ffyall wyne in pipes Barrells & Hogsheads as by the bill of Ladeing you may See who Consigned them to meet but verbally Gave me order to Deliver them to you, if you were Liveing, Which I desire you to accept and make the Retornes according to m^r Nethwayes order & advice which I herewith give you. And therewith the Complt gave this defend^t Instruc^ons writt with the hand of the Said M^r Nethway but directed to the plt wherein he advised the said plt that he shipped aboard the said Ketch the wyne afforesaid, and that he had disbursed for the whole Charge of the said wyne, as also Two hundred Eighty

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Liber P C six millrays which he lent the Complt to repayre his shipp Providence which he must pay to Nethway with Ten p Cent. p ann. till the money was Repaid according to the Custome of ffyall with Two paps the defend^t said were Lost or unjustly taken from this Defend.^t Together with a Lfe and a Bill wherein the Complt stood Indebted to a Dutchman in Delaware in a Quantity of Tobacco And the

p. 38 Defend^t Confessed the account given to the plt was not a perfect account The defend^t then being Sicke and could not Attend the pusall of his papers but is now willing to Give this Court a more perfect accompt which he did Annex to his answer and saith his own Sloop was Hyred out a ffortnight which he charges but at seaven hundred pounds of Tobacco p moneth and he never had lesse than Eight hundred pounds of Tob p moneth. And that he did Hyre Coopers and Provide new Casque. Denyes he sold any wyne at under Rates or for lesse than he had sufficient Order and without any Private Interest to himselfe. Denyes his servants with his privity did make use of the Key of the store to drinke the wyne, but he finding the Locke Injured put on a new one and built a new Roome to preserve the wyne and put one to Lye there to secure the wyne, sayes he sold but five barrells to Browneing and not ffourteene as in the bill is falsely Alleadged which was part of the ffourteene Barrells the Defend^t tooke to his perticular Account. As for the twelve Gallons sold to Measure and the Rest they were all Charged to the account sold to Samuell Groome. Denyes he Reserved to himselfe any wyne not Charged to account, which was not allowed in the account after the last of July save onely a small parcell which he had in his Celler for the entertayneing the plt and others that came to buy wyne. Thereby to Avoyd trusting a serv^t into the wyne house. In the tyme this Defend^t was at meate Denyes he ever received any order not to sold the wyne und^r Two Thowsand five hundred pounds of Tobacco p pipe But sold the same according to the best of his skill and ffollowed the plts order who was glad to have them sold upon any Condiçon they beeing poore small wyne and apt to fade being Rackt, Knowes nothing of any dead ffraight due but if any the plt ought to pay the same the Defend^t haveing delivered Bills to the plt for Twenty Two Thowsand seaven hundred & Eightene pounds of Tob being part of the produce of the said wyne. Denyes he Converted any of the Tobacco Reced to his owne use. Denyes also that ever he denied to shipp what he Received but did shipp the same as the same was received as by Account appeares. Saith he heareing the plt was Intended to deprive M^r Nethway of the produce of the said wyne and to goe for Holland he refused to deliver him the Bills mencōned as it was Lawfull for him to doe he being intrusted by nethway as afforesaid. But is Ready to deliver the same into this Court or give security to have the same forthcomeing if the Complt would give security for the Twenty Two Thowsand seaven hundred

& Eightene pounds of Tobacco. Delivered to him in bills as afforesd. Being the prop Estate of m^r Nethway and not any wayes belonging to the Complt Their being noe other Course taken for the security of M^r Nethways Disburm.^{ts} for the said wyne & his Two hundred Eighty six millrayes with Ten p Cent as afforesaid, which was to be satisfied out of The Neate Produce of the plts part of the said wyne. And with A Generall Traverse he Concludes his Answer, And whereas Hertofore that is to say in the said ffebruary Court in the said yeare One Thowsand six hundred sixtie nyne The said James Neale did Exhibit his Crosse Bill into this Court against the said John Balley Thereby setting forth to the same effect as in the said Answer as above recited and to have a Discov^y of the said Noates and paps by him in the said Answer and in this Bill pretended to be Carelessly left in his Chamber and by Accident lost or Come to the Defend^{ts} hands. And to have the Defend^t Balley Answer. He also prayed the Ayd of this Court & Processe against the said Defend^t To appear and Answer the said Bill, which being so Granted the said Defend^t Appeared and Answered Accordingly. And by his Answer Denied the whole Equity of the said Bill: To which said sev^rall Answers of the said sev^rall Defend.^{ts} the said sev^rall Complt Replied. And the said John Balley by his Replication did set forth as in his answer to the said Neales Bill he hath Already declared And so the matter being at ffull and perfect Issue Diverse witnesses were Examined in the said Causes and the Depositions duly published according to the Laudable Rules of this Court as by the said sev^rall Bills Answers Replications Examina^tions of wittnesses and other Proceedings thereupon had All of them Remayneing of Record in this Hon.^{ble} Court Relation being thereunto had more ffully and more at Large the same doth and may Appear. And the said sev^rall Causes standing at Issue Ready for a Heareing The Tenth day of December last was appointed for the heareing and Determyneing thereof On which day the partyes Complt and Defendts in both these suites being ready for a Tryall in both Causes And because both suites did Relate to one and the same Concerne This Court ordered both Cases to Come to a Tryall at one tyme, And the Complt Balleyes Bill being Read and Neales Answer to the same and all proofes and other paps touching that cause. And the Crosse Bill of Neale against Balley being also Read and all paps concerneing that cause and upon Reading the Depositions and proofes taken in the said causes being all by this Court seriously viewed and Considered and heareing what could be Alleaded on other sides. This Court was all Clearly satisfied That John Balley the Complt was Joint Owner of the Cargo of wyne in Question and that the account of sales of the said Cargo made by Neale and in this Court filed should be referred to Audito^rs to state and Examine the same And this Court did thereby Appoint m^r Thomas Notley and M^r Benjamyne Rozer to Audite state & Examine

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Liber P C the same. Who were desired to make full Examination into it, and to make Report to this Court how they found it at the then next Court, That so the Court being fully Satisfied in the businesse might Decree & order therein as in Conscience & equity they ought,

p. 40 And the Compt and Defend^t were thereby ordered to Attend the said Auditors at the house of M^r Thomas Notley on such Day as the said Auditor's should Appoint some tyme Betweene that & the then next Court. In pursuance of which order the said m^r Thomas Notley and m^r Benjamyn Rozer did make their Report unto this Court under their hands and seales in these words ffollowing, Maryland ss. To his Excellency Charles Calvert Esq^r Cheife Judge in Equity and to the rest of his Hon.^{ble} Associate Justices of the same Court. This submissively sheweth that by virtue of an Order of the High and Hon.^{ble} Court of Chancery within this Province begunne and held at St Maryes the Tenth day of December last past and there Continued till the fourteenth of the same unto m^r Thomas Notley and Benjamin Rozer Directed under the lesser Seale of this Province Impowering in the said Thomas & Benjamyn to Audite Examine and state an account of sale of a Cargo of wynes made by James Neale for Acc^t of John Nethway and John Balley in Joint ptnership. And which were by the said Balley Comitted to the Charge of the said Neale for sales The account whereof is in the said Court of Chancery filed as is expressed in the said Order, and a Coppie thereof thereunto Annexed, In Obedience therfore unto the said Order Wee the said Thomas and Benjamyn have called before us the said John Balley and the said James Neale and having veiwed pused and Read the sev^{al}l and Respective Articles both of the Debitor^r and Creditor^r side of the said Account in p^sence of the said James and John And having taken into our Considera^{co}ns all the Exceptions made by the said Balley against the said Account, as also all that the said Neale hath Alleadged in Justification thereof, and having likewise viewed all the paps L^{rs} and wryteings thereunto Relateing that were produced unto us by the said James & John on their Respective parts, And having maturely Deliberated upon the whole matter. Doe in most Humble Maner To this High and Hon.^{ble} Court make this our Report To say, Wee According to our Consciences and the best of our Judgemts having Audited stated & Examined the afforeme^{co}nd Account and the same have hereunto Annexed. Doe find due upon the Ballance of the same To the said John Nethway & Balley from him the said James Neale the Quantity of Thirty Three Thowsand & fforty six pounds of Tobacco and Casque to Conteyne it. And in Regard it doth Appeare unto us that the said James Neale hath Deteyned the said Sum^e of Thirty Three Thowsand fforty & Six pounds of Tob afforemen^{co}nd from him the said Balley for which he ought long since to Accomted but

hath Refused to his Owne wrong. And the Great Damage of him the said Balley. Wee Doe therefore according to the Custome of m^{ch}ants in such cases usuall, Humbley f^{ur}ther Report unto this High and Hon^{ble} Court, That the said James Neale ought to pay the afforementioned Quantity of Thirty Three Thowsand & fforty six pounds of Tobacco to the said John Balley upon Demand out of his Owne estate without Chargeing the said John Nethway and Balley with any bad Debts that hath Accrued upon the sale of the said wyne: And whereas the said John Balley did produce unto us an Account wherein he Charged the said James neale with sev^rall quantities of Tobacco for Damages Susteyned by him the said John by Reason of the said James his not Accompting with him sooner, and hath Kept him a Long tyme in Trouble in these Remote parts from his bussinesse to Recour^r his Right in this Hon^{ble} Court. And for his charges Damages Expended and susteined in and about the same. And other Charges and Expences he hath beene at which hath beene incurred by Reason of the said James Neales Refuseing to account with him in Reasonable tyme as he ought and was ingaged to doe. All which wee humbly Conceive was not matter within the Commission to us Directed, so Lay not before our Considera^{ti}ons to Report, wherefore we have Omitted it and Leave the said Balley himselfe to p^rsent it to this High and Hon^rable Court to Determyne And in Confirma^{ti}on to this our Report wee have hereunto sett our hands & fixed our seales the sixt day of January in the yeare of the Dominion of Cæcilius the forty first Anno^rq Domⁱn 1672: Thomas Notley Sealed Benjamyn Rozer sealed as by the said Report and Account Annexed Remayneing in the hands of the Register of our said Court Relation being thereunto had more fully and Largely it doth and may Appeare. And afterwards to witt upon the Eleaventh day of this Instant ffebruary these causes Coming to be heard before his Excellency Charles Calvert Esq^r Cheife Judge in Equity. The Hon^{ble} Phillip Calvert Esq^r Chancell.^r and the rest of their officials Justices of the same Court in the p^rsence of the sev^rall plts and Defend.^{ts} in these causes and their Attorneys of both sides where-upon and upon Reading the said Report and heareing what could be Alleadged on either side and haveing seriously Debated the matters betweene the said partyes This Court Court doth think fitt and so order and Decree that the said Report and all and only the matters and things therein Conteyned Doe stand Rattified and Confirmed by the Decree of this Court to be observed and performed by the said partyes to all intents and purposes According to the True Intent & meaning thereof. And that the said James Neale doe forth-with pay unto the said John Balley for the Joint Account of him and the said John Nethway the said s^ume of Thirty Three Thowsand fforty six pounds of Tobacco with Casque to Conteyne the same

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Liber P C out of his the said neales owne prop Estate. And not to Charge the
 P. 42 said John Balley with any bad Debts. And it is Likewise further
 Ordered that the said James Neale shall also pay and Allow unto the
 said John Balley his Costs and Damages by him susteined by reason
 of the p^rmisses. To be Cast up Accounted and Allowed of by his
 Excellency Charles Calvert Esq^r the Hon^{ble} Phillip Calvert Esq^r
 Chancell^r and the Hon^{ble} William Calvert Esq^r or any two of them.
 And what they or any Two of them shall so cast up Compute and
 Allow to be paid by the said James Neale to the said John Balley
 for his Costs and Damages afforesaid It is hereby f^rurther Ordered
 and Decreed that the same shall stand Rattified and Confirmed by
 the Decree of this Court to all intents & purposes without any
 Appeals from the same or Repeale thereof And the same is to be
 paid by the said James neale unto the said John Balley Accordingly.
 And in pursuance of the last Recited order his Excelly Charles
 Calvert Esq^r the Hon^{ble} Phillip Calvert & Willm Calvert Esq^r
 did in the p^resence of the Complt Balley and his Attorney (none
 Attending for the defend^t neale though due notice was given to his
 Attorney) peruse and Examine a Noate of the perticuler Costs and
 Damages pduced to them by the said John Balley. And haueing
 Seriously veiwed the same and duely Considered thereof Did thinke
 fitt and so order. That the said John Balley be Allowed for his
 Costs and Charges Expended in these causes. The s^umme of Twelve
 Thowsand Two hundred Twenty nyne pounds of Tobacco and
 Casque for Chancell^rs Secretaries and sheriffes ffees: And for his
 Imprisonm^t and other ffees. And further they did order and Allow
 to the said John Balley for his Damages and staying here and being
 out of his Tobaccoes Three yeares The s^umme of Twenty pounds
 Sterling p ann. which in all Comes to the s^umme of Sixtie pounds
 Sterling which in Tobacco at One penny p pound comes to the
 s^umme of ffourteene Thowsand foure hundred pounds of Tobacco.
 As also the s^umme of eight pounds sterl. for Eighty hhds of Tobacco
 being the produce of the said wyne to be paid by the said Neale
 to the said Balley for the Imposition of Two shillings p hogshd.
 lately laid upon Tobacco. the one moyetie of the said Eight pounds
 sterl. to be to the use of the said Balley and the other moyetie to
 the use of the said nethway which said s^umme of eight pounds sterl
 in Tobacco at one penny p pound Comes also to the s^umme of nynteene
 hundred & Twenty pounds of Tobacco All which said sev^rall s^um^{me}s
 Allowed for Costs and Damages as afforesaid Doe in the whole
 Amount unto the s^umme of Twenty Eight Thowsand five hundred &
 fforty foure pounds of Tobacco, which said s^umme of Twenty eight
 Thowsand five hundred & fforty foure pounds of Tobacco Togeather
 P. 43 with the s^umme of Thirty Three Thowsand fforty & Six pounds of
 Tobaccoe f^rormerly Decreed to be paid by Neale to Balley, in all,
 Sixtie One Thowsand ffive hundred and nynty pounds of Tobacco,

the said James Neale is forthwith to pay unto the said John Balley : Liber P C
 It is Therefore this p'sent day that is to say the six & Twentieth
 day of ffebruary in the xxxxith year of the Dominion of Cæcilius
 &.^c Annoq̄ Doñ 1672: By his Excellency Charles Calvert Esq̄
 Cheife Judge in equity the Hon'able Phillip Calvert Esq̄ Canc. and
 the rest of their Associates Justices of the said Court. And by the
 Power and Authority of the High and Hon'ble Court of Chancery.
 Ordered Adjudged & Decreed That the said sev'all orders and
 Reports and every thing therein Conteyned doe stand Rattified and
 Confirmed by this present Decree to be Observed and performed
 by all the said parties to all intents and purposes According to the
 Tenno^r and True meaneing thereof. And that the said James Neale
 Doe forthwith pay unto the Sayd John Balley the said sūme of Sixtie
 One Thowsand ffive hundred & Nynety pounds of Tobacco to him
 by this Court Adjudged Accordingly. Wee Doe Therefore Hereby
 strictly Charge and Comand you that all and only the matters and
 Things in the said finall Judgement or Decree mentioned Specified
 & Conteyned so farre forth as the same or any of them doe in any
 wayes Touch or Concerne you You doe well & Truly Observe per-
 forme ffulfill and Keepe to all Intents and Purposes According to the
 Tenno^r and true meaneing thereof. And that you Pay unto the Com-
 plynant John Balley or his Assignes The said sūme of Sixtie one
 Thowsand ffive hundred and nynety pounds of Tobacco. And this
 you are not in noe wise to Omitt under the pennalty thereupon
 ensuing Wittnesse our Selfe at our City of S^t Maryes the xxvi.th
 day of ffebruary in the xxxxith year of our Dominion over our
 said Province of Maryland Annoq̄ Doñ, 1672

To his Excellency Charles Calvert Esq̄ Cap^t Generall of Mary-
 land and Cheife Judge in Equity

The Humble Pettition of James Neale Sheweth

That yo^r Petico^r is Attorney to John Nethway of ffyall m^cchant
 as appears upon Record in this Province of Maryld. That there is a
 Decree in the Hon'able and High Court of Chancery of this Pro-
 vince against yo^r Peticoⁿ.^r to pay unto John Nethway & John Balley
 of this Province the sūme of Thirty three Thowsand forty six pounds
 of Tob the half of which is the Very Debt for which your pet.^r
 was Constituted Attorney to the said Nethway vizt. to Recov^r it
 from the said Balley. Now so it is that your pet.^r Comeing to st.
 Maryes to Attend the Court for their finall Determination as to
 the Coste and Damages. And then to pay the said Balley his Just
 moyetie & Costs. Hee findes the said Balley by false Suggestions
 to the Court & yo^r Excelly hath Taken out a writt of Ne Exeat
 Provinciām against your Pet.^r & as appeares (by the coste that he
 putts in for writts then not sued out) to take out writt of Execucoⁿ
 of the decree onely to vex and your Pet.^r with needlesse Charges. p. 44

Liber P C he being now and ever Ready to pay him the said Balley his part of the Decree & Coste without ffurther needlesse Trouble. Your pet^r most humbly prayse that he the said Balley may be ordered to Come and receive his part of the said sūme and Coste Decreed without further Trouble and your pet.^r ordered to deteyne Nethwayes part in his hands as Attorney to sd Nethway.

And as in Duety Bound he shall ev^r pray

Upon puseing the above written Pettition of Cap.^t James neale I doe finde nothing Conteyned therein but w^t is very Reasonable & just and therefore doe think it most fitt that John Balley accept of the said neales Proposition therein mencōned. without ffurther Trouble to either party in this businesse. Charles Calvert
the 4.th of March 1673:

Toby Wells	}	This Cause was Continued untill the next Co. ^{rt}
agt		
John Wright		

Jonathan Hopkins	}	Andrew Skynner to be Subpenayed to be Examined in this case betweene this and the next Co. ^{rt} and this Cause to be set Downe for hearing the next Co. ^{rt}
agt		
John Wright & Richard Snowden		

John Gould	}	This Attachm ^t continued.
agt		
Joseph Sones		

Charles James	}	It is ordered by the Court that the Comp ^{ts} bill be Dismissed for want of a Replication and that the Comp ^{ts} pay unto the Defend ^t one Thowsand and foure pounds of Tob costs.
agt		
John Homewood		

Margaret Penry	}	If this Replication be not filed within two dayes after the Co ^{rt} the Comp ^{ts} bill is ordered to stand dismissed, the Replication was accordingly filed.
agt		
Tho: Howell & als		

William Smith	}	The Demurrer in this Cause to be argued the next Co. ^{rt}
agt		
Richd Ladd & als		

Henry Scarborough	}	Liber P C
agt		
Richard Pery & als		
Henry Beedle		
agt		
George Wells	}	These four Causes were Continued untill the next Co. ^{rt}
George Wells		
agt		
Henry Beedle		
ffrancis stocket		
agt	}	
John Blomfeild		
James Nuthall	}	The Defend ^t to file his answers to morrow or p.45 proccesse of Contempt to issue
agt		
John Quigley & als		

The Court Adjourned untill the Eighth of Aprill

Maryland ss At a Court held for the Chancery and Provincial Court begunn on Tuessay the Eighth day of Aprill in the one and fortieth yeare of the Dominion of Cæcilius &c Annoq̃ Domini 1673, at the City of St Maryes and there Continued untill the Twelvth day of the same Aprill, on which said Eighth day was p^rsent

His Excellency Charles Calvert Esq̃ Cap^t Generall and Cheif Judge in Equity.

The hono: ^{ble}	{	Philip Calvert Esq̃ Chancelo. ^r	}	Esq̃s
		William Calvert		
		Thomas Truman &		
		Jesse Wharton		

Then was Thomas Taylo^r Esq̃ sworne one of the Justices of this Court and tooke his place accordingly.

Toby Wells	}	The Defend ^t having answered this Co. ^{rt} the cause was Continued untill the next Co. ^{rt}
agt		
John Wright		
Jonathan Hopkinson	}	This Cause was Continued untill the next Co. ^{rt}
agt		
John Wright and		
Richard snowden		

Discharge for said sum as also from all suits already Comenced by the said Balley against yo^r pet^r, and for that p^t w^{ch} is adjudged to belong to M^r John Nethway of ffyall marchant that this hono.^{ble} Co^{rt} will please to ord^r how to be Disposed of and that a power be given to yo^r pet^r to Recover the debts made in Nethway's name

And yo^r pet^r shall Ever pray &c

Upon Reading the foregoing petition of Cap^t James Neale in open Co.^{rt} and the said John Balley being p^rsent it appeared that the said Balley had Received Only thirty six thowsand four hundred and fourteene pounds of Tobacco of the said Neale, w^{ch} said sume the said Balley Did acknowledge here to have Received as aforesayd and no more and it is by the Co^{rt} ordered and adjudged that Cap^t James Neale hath full power to sue any of the Debto^{rs} of John Nethway of ffiall marchant whose bills he hath in his hands and that he may Recover the said Debts by virtu of his L^{tr} of Attorney from Nethway accordingly.

At a high Co^{rt} of Chancery held in Charles County Co^{rt} house on the 26th of June 1673 Present Cheife Judge his Exclly Charles Calvert Esq William Calvert Esq Jesse wharton Esq

In a cause Depend^t wherein

Henry Scarborough

&

The hono.^{ble} Philip Calvert Esq

Tho: Truman Esq & Mary his wife

John Gittings Richard Pery

Margaret Perry & Mary Bateman

Comp^{lt}

def.^{ts}

The hono.^{ble} Chancelo^r this day appeared and was sworne to his answer in open Co^{rt}

At the same time appeared Thomas Truman and Mary his

wife and John Gittings and put in their plea and Desired the same might be allowed, but now appearing for the Comp^{lt} This Co^{rt} hath ordered the argueing of the same on the next Provincial Co^{rt} in November next.

Thomas Gannt being served with a subpoena Reed this day appeared but finding no bill Exhibited ag^t him prayed Costs w^{ch} Reserved also to the next Co.^{rt}

per the appoint^t of his Exclly Testis Nicho: Best.

Henry Beedle & Sophia his wife

Executrix of the last will & Testam^t

of Richard wells p^{lt}.

George Wells Def.^t

plt. Sheweth

{

To his Excellency Charles Calvert esq Cap.^t gen.^{ll} and Cheife Justice of Maryland The Humble Petition of the

That your Pett^{rs} did in October Court las^t brng their ac^{on} against the defend.^t to have him come to an account as receiv^r of the said

Liber P C

Richard Wells in his life time for sev^rall goods to him sent and Consigned to him by the said Rich.^d A.^o 1668. by the hands of John Dunch master of the Baltimore, and for sev^rall servants sent in also at the same tyme, which said goods and servants were all accordingly D.^d by Dunch to the Defend.^t or his order

p. 47 That the defend.^t hath pleaded he was never receiv^r of the said Rich.^d and the cause now stands at Issue whether the defend^t was receiv^r or not Receiv.^r But for want of the Testimony of the said Dunch who is yo^r Principall Evidence to proove the bills of Lading for the said Goods and receipts given for the servants shipped and Consigned afforesd and to prove the Deliv^y of the said goods & servants to the Defend^t or his order, your pett^{rs} durst not goe to tryall

Now forasmuch as the said Dunch is now Arrived and will goe out of this Country before the Tryall can be had yo^r pett^{rs} humbly pray your Excellency will be pleased to graunt unto yo^r pett^{rs} a sp^a against the said Dunch to appeare before yo^r Excellency or the Hon.^{ble} the Chancell^r to Testefy the truth of his Knowledge in the said Ac^on of acc.^t betweene the said pties. and that a Coppie of this petticon and ord^r thereon being given to the Defend^t or to any of his Attorneys, M^r Ward, M^r Rousby, and M^r Cheseldine, and others being Attorneys for him and notice of the tyme and place when & where and before whome he is to be examined lest with them in wryting, the said Defend^t or his Attorneys may be there p^rsent to Crosse examine him if they please

And yo^r pett^{rs} as in dutye shall pray &^c

Under neath the foregoing Petti^on was written as ffolloweth I thinke the petti^on is Reasonable, and doe therefore ord^r s^up^a To Issue according to the prayer of the petitioners

Charles Calvert

Maryland ss At a Court held for the Chancery and Provincial Co.^{rt} begun on Tuesday this Eleaventh day of November in the 42th year of the Dominion of Cæcilus &^c Annoq^{ue} Domini 1673, and from the sd 11th day of November by writ of Adjournm^t of the sd Lord Proprietary Adjourned untill the 12th day of the same November and their continued untill the Sevententh day of the same moneth on w^{ch} s^d Seaventeenth day was p^rsent

His Ex^{clly} Charles Calvert Esq^{ue} Cheif Judge in Equity.

The hono ^{ble}	{	Philip Calvert Esq ^{ue} Chancelo. ^r	{	Esq ^{ps} .
		William Calvert		
		Baker Brooke		
		Jesse Wharton &		
		Thomas Taylo ^r		

Tobias Wells } The Comp^{lt} having this Co^{rt} filed his Replication Liber P C
 agt } to the Defend^{ts} answerd This Cause continued
 Jn^o Wright & ux } untill the next Co.^{rt}

Jonathan Hopkinson } This Cause being Ripe for publication the
 agt } witnesses being Examined of both sides or-
 John Wright & } dered that publication passe this Co^{rt}, and that
 Richard snowden } the cause standing at full & pfect issue it
 Comes to a hearing the next Court.

Margaret Penry } The Defend^t being upon the Country Service p. 48
 agt } this Cause was by pticular ord^r of this Co^{rt}
 Thomas Howell & als } respited untill the next Co^{rt}; The Comp^{ti}
 Penry to pay Dennis Humber & Philip Chevaleir witnesses by her
 summoned Two hundred & Forty pounds of Tobacco apeice for their
 Charges.

Henry scarborough }
 agt }
 Richard Perry & als }
 Henry Beedle }
 agt } These three Causes are Continued untill the
 George Wells } next Court.
 George Wells }
 agt }
 Henry Beedle } }

ffrancis stocket } This Cause standnig at full & pfect issue Ordered
 ag^t } by the Court that publication passe, and that this
 John Blomfeild } Cause be set Downe for hearing & Come to tryall
 the next Co.^{rt}

Henry Scarborough } The Defend^{ts} Desire the attorney to pduce
 ag^t } the power from the Complt by virtu of w^{ch}
 Richard Perry } this suite was psecuted w^{ch} being accordingly
 Chancelo^r & c } Done and is appearing to be proved only before
 M^r William Stevens a Justice of peace of som^rset County, the proofs
 thereof by the Co^{rt} is adjudged insufficient but the Cause Continued
 whilst the next Co.^{rt}

The Co^{rt} adjourned untill the Tenth day of ffebruary next.

Liber P C

Maryland ss. At a Court held for the Chancery and Provincial Court begun on Tuesday The Tenth day of february in the 42th year of the Dominion of Cæcilus &c Annoq Domini 1673. at the Citty of St. Maryes and there Continued untill the thirteenth day of the same february. On w^{ch} said Thirteenth day was

Present.

The hono: ^{ble}	{	Philip Calvert Esq Chancelour	} Esqps.
		William Calvert	
		Samuel Chew	
		Jesse Wharton &	
		Thomas Taylour	

Toby Wells Comp ^t ag ^t	}	In this Cause it is ordered by the Court
John Wright & ux defts	}	here that publication passe afortnnight before the next Court, and that the Def ^{ts} be served with a subpoena to heare Judg ^t the next Co. ^{rt} and that the Cause be set Downe for hearing, and Come to tryall next Co. ^{rt}

p. 49

Jonathane Hopkins Comp ^t ag ^t	}	This Cause being ripe for tryall this Court & the Def ^{ts} being served with a subpoena to heare Judgem ^t this Court
John Wright & Richard snowden	} defts	but their Attorney M ^r morecroft being
lately Dead and they being at p ^r sent unprovided of another, It is by the Court ordered that this Cause be Continued untill the next Court, when it is without any Excuse prementoryly to Come to tryall.		

Margaret Perry Comp ^t ag ^t	}	The hono: ^{ble} Philip Calvert Esq Chancelo ^r of this Province and William Calvert Esq having made their Report to the Court have under their hands & seales according to an ord ^r of this Co. ^{rt} to them Directed bearing date the Eighth day of Aprill last past w ^{ch} was to inspect the paps in this Cause, and to make Report to the Co. ^{rt} here whether the Administrato ^{rs} of ffancis Wright had Exhibited a true and pfect Inventory of the Estate of the said ffancis into the office for probate of wills &c as they ought to have Done, which Report being Read, The Court ordered the same to stand unaltered, and that publication imediately passe in this Cause, and that the hono: ^{ble} Samuella Chew and Thomas Taylour Esqps both Members of this Court be and are hereby appointed auditors to audite state and Examine the account of the Defend ^{ts} Howell and Gouldsmith of the Estate of the said Wright, and that his audito ^{rs} have Coppyes of all paps attested by the Register that are now filed by Either pty in the Court w ^{ch} they are to puse and that they may fully understand the truth in the p ^r mises they are Em-
Thomas Howell George wells & Johanna Goldsmith Defend ^{ts}	}	

powered to Examine witnesses upon oath on Either pt, and to meete at such times and place as they in their Judgem^t shall think fit, at w^{ch} time of such their meeting the ptyes Comp^{lt} & Defend^{ts} in this Cause are hereby Comanded to attend them with their paps and witnesses that so being fully satisfied of the truth of the promises they may with all Convenient speed Report to the Court here how much they finde due from the Defend^{ts} Howell and Gouldsmith to the Estate of Wright and the Court will Decree the same to the Comp^{lt} according to the said Report. Liber P C

Cæcilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To our Trusty and welbeloved Samuell Chew and Thomas Taylour Esqs Justices of our high Court of Chancery in our said Province of Maryland Greeting, whereas at a Court of Chancery held at our Citty of st Maryes the Tenth day of ffebruary in the 42th year of our Dominion over our said Province and in the yeare of our Lord God One Thowsand six hundred seaventy and three, and there Continued untill the thirteenth day of the same ffebruary before our Justices for the holding the same assigned Betweene Margaret Perry Comp^{lt} & Thomas Howell George wells and Johanna Gouldsmith Defend^{ts} an ord^r of our said Court in the said Cause passed in these words (vizt) The hono^{ble} Philip Calvert Esq Chancelo^r of this Province and William Calvert Esq having made their Report to the Court here und^r their hands and seales according to an ord^r of this Co^{rt} to them Directed bearing date the Eighth day of Aprill last past which was to inspect the paps in this Cause and to make Report to the Court here whether the Administrato^{rs} of ffrancis Wright had Exhibited a true and pfect Inventory of the Estate of the said ffrancis into the office for probate of wills &c as they ought to have Done which Report being Read the Court ordered the same to stand, unaltered, and that publication immediatly passe in this Cause, and that the hono^{ble} Samuel Chew and Thomas Taylor Esqs both Members of this Court be and are hereby apointed audito^{rs} to audite state & Examine the account of the Defend^{ts}, Howell and Goldsmith of the Estate of the said Wright, and that the said Audito^{rs} have Coppyes of all paps attested by the Register that are now filed by Either pty in this Co^{rt} which they are to puse, and that they may fully understand the Truth in the p^mises they are Empowered to Examine witnesses upon oath on Either pt, and to meet at such times & place as they in their Judgem^t shall thinke fit at w^{ch} time of such their meeting the ptyes & Comp^{lt} and Defend^{ts} in this Cause are hereby Comanned to attend them with their paps and witnesses that so they being fully satisfied of the truth of the premises they may with all Convenient speed Report to the Court here how much they finde due from the Defend^{ts} Howell and Gouldsmith to the Estate of Wright, and the Court will Decree the same to the Comp^{lt} according to the said p. 50

Liber P C Report, as by the same ord^r of our said Court Remaining upon Record in our said Co^{rt} of Chancery Relation being thereunto had will appeare. And wee being willing that all the ord^{rs} of our said Court shall be Exactly p^rformed Doe hereby Empower authorize & apointe you the said Samuel Chew and Thomas Taylor to be audito^{rs} to audite state & Examine the account of the Defend^{ts} Howell and Goldsmith of the Estate of the said Wright, to Examine witnesses upon oath on Either pt and to meete at such times & places for the Doeing of the same as to you shall seeme Convenient Hereby Com-
mandding the ptyes Comp^{lt} and Defend^{ts} in the said Cause to attend you with their paps & witnesses at such dayes & places as you shall appointe as aforesayd, that so you being fully satisfied of the truth of the p^rmises you may with all Convenient speed Report to us in our said Court wheresoever wee shall then be how much you shall finde due from the Defend^{ts} Howell & Goldsmith to the Estate of the said Wright that wee being fully informed of the truth may doe therein as in Equity and good Conscience we ought and for yo^r pceedings herein this shalbe yo^r warrant Witnes our self at our City of st Maryes the said 13th day of ffebruary in the 42th yeare of our Dominion over our said Province and in the yeare of our Lord God 1673.

Henry Scarborough	}	This Cause was by the Court Dismist for want of psecu ^{ti} on w th pounds of Tobacco allowed the Defend ^{ts} by the Court here for their Costs.
ag ^t		
Richard Perry & als	}	

ffrancis stocket } This Cause being Ripe for hearing, and being
ag^t } appointed for hearing this day and the Defend^t
John Blomfeild } being served with a subpœna to heare Judgem^t, doth
appear in his pp pson and the Comp^{lts} Attorney likewise, the Cause
thereupon Coming to hearing this day before the hono^{ble} Philip
Calvert Esq^r Chancelo^r of this Province and his associated Justices
of this Court and upon hearing and Debating thereupon and upon
Reading the Comp^{lts} bill and the Defend^{ts} answere thereunto with
the Depositions & pses taken in this Cause, being all by this Court
seriously veiwed & Considered, and hearing of what Could be
alleged on Either side This Court was all Clearly satisfied, and
Doe order and Decree that the Defend^t John Blomfeild doe forthwth
Deliver unto the Comp^{lt} ffrancis stocket or his Assignes the still in
question with the appurtenances to whom the Court are Clearly
satisfied it Does truly belong, and the said Court doe further ord^r &
Decree the said John Blomfeild to pay unto the Comp^{lt} the sume of
Thirteen hundred and Thirty pounds of Tobacco for his Costs in
this behalfe Expended.

Henry Scarborough	} This Cause being continued untill this	Liber P C
ag't		
Richard Pery canc & als	} Court in w ^{ch} time the p ^{ts} Attorney was	
Comp. ^{lt} This Court doe ord ^r that the Cause be Continued untill the		
next Co ^{rt} and that if the comp ^{lts} Attorney Doe not then p ^{duce} a		
sufficient authority, as the Co ^{rt} shall approve of, the Cause to be		
Dismissed		

Command was given to the sheriff of Charles County that whereas wee did by our Letters Patents und^r our greate Seale of our sd Province of Maryland bearing date the Seaventh day of September in the year of our Lord 1666 for the Consideration therein named graunt unto Walter Beane of our said Province gentl a pcell of land Called Durham lyeing in the woods on the East side of the Mame-fresh Runn of Portobacco Creeke, Conteyning and then layed out for Seaven hundred and fifty acres more or less, as by o^r sd Graunt Remaining upon Record Relation being thereunto had more fully and more at large it doth and may appeare, Now for that wee had long before that time Reserved for our owne use a pcell of land in Charles County called Pangaya Manno^r of w^{ch} the sd pcell of land it pt, and the said Walter Beane being sensible thereof fraudulently p^{cure}d our graunt aforesayd to the Disinherizon of us and our heires of the p^{mises}, and the said Walter Beane being since Deceased, wee doe Comannd you that by good and lawfull men of yo^r Bailiwick you make knowne and give warning to the heires of the said Walter Beane, or any assigns that Claymeth the same und^r him that they be before us in o^r Court of Chancery the Tenth of ffebruary next wheresoever wee shall then be to show Cause if any they have wherefore the said Letters Patent of the aforesayd Land as aforesayd made ought not to be Revoaked and adnulled and the same into our hands be seized, and to Doe & Receive what our said Court shall Doe or graunt to be Done in this behalfe and how you shall Execute this p^{cept} that you make knowne to our sd Court at the Day aforesayd and have you there this writ. At w^{ch} Day that is to say the Tenth day of ffebruary in the 43th year of the Dominion of Cæcilius &c Annoq^{ue} Domini 1673. John Allen gentl high sheriff of Charles County Returnes the said writ Endorsed as followeth (vizt)

By virtu of this writ I have by John Grubb and Clement Thompson good and honest men of my Bailiwick made knowne unto the widow of the within named Walter Beane that she be and appeare at the day and place within Conteyned to show Cause if any she have as by the writ within I am Comanded

John Allen Sheriff

Whereupon Ellino^r Beane widdow of the said Walter being Called appeared by her sonne in law, Mathew Hill of Charles County gentl

Liber P C who Surrendered up the afd Graunt of the sd Land Called Durham into the hands of the sd Lord Propry, and the Court Ordered the same to be Cancelled w^{ch} was Done by Tearing off the seale in open Court and further ordered that the Record of the said Patent be vacated obliterated & scored out by the hono^{ble} the Chancelo^r of this Province, and the Court doe adjudge order and Decree the said pcell of Land Called Durham in the said Patent named to be seized into the hands of the sd Lord Proprietary, and that the said Lord Prop^y (Notwthstanding the graunt aforesd by the sd Walter Beane surreptitiously obtained) is lawfull & Right owner of the said land and p^rises and Every p^t & pcell thereof; and the same may possesse or Dispose of at his pleasure.

p. 52

John Bailey } An attachm^t issueing out of this Co^rt ag^t the Defend^t
 agt } for not p^rforming a Decree ag^t him at suite of the
 James Neale } Comp^t the sheriff of Charles County having Executed
 the same brought the sd Defend^t into Court as by the sd writt he
 was Comannded who alledged his Readines to Comply wth the sd
 Decree, wherefore this Co^rt Discharged him of the Contempt but
 the Decree to stand in force.

The Court Adjourned till the 14th of Aprill next.

Maryland ss. Att a Court held for the Chancery and
 provincially Court begun on Tuesday the fourteenth day of
 April in the 42th yeare of the Dominion of Cæcilus &^c
 Annoqs Doñ 1674 at the City of S^t Maries and there
 continued untill the eighteenth day of the Same month.

Present

His Excellency Charles Calvert Esq Cap^t Gen^l
 The Hon^{ble} Philip Calvert Esq Chancellour
 The Hon^{ble} W^m Calvert Esq Principall Secretary
 The Hon^{ble} Baker Brookes Esq

Henry Scarborough Comp^t } Which cause being continued till
 agt } this Court and this plaintiffs At-
 Richard Henry Chancell^r & others } torney to produce a Sufficient
 authority such as this Court should approve off otherwise to be
 dismissed at which day the Complaints Attorney produced these
 Letters of Attorney following vizt.

Know all men by these presents that I Henry Scarborough of
 Norwalsham in the County of Norfolk Gent have assigned author-
 ized and appointed and in my place and stead have putt and con-
 stituted Edmund Scarborough the elder of Accomack in Virginia

Esq and Charles Scarborough of the same place Gent my true and lawfull Attorney and Attorneys jointly and severally for me and in my name to aske levy sue for recover and receive all and every debts duties summe and Summes of money goods wares merchandize due owing or belonging unto me from any person or persons whatsoever in Virginia or Maryland by bill bond Specialty booke accompt reckoning contract or otherwise howsoever and generally to doe manage and performe execute and Order all and every of my affairs and businesses within Virginia and Maryland aforesaid in as ample and full manner to all intents and purposes as I my selfe might or may doe being personally present And upon receipt of the premisses or any part thereof acquittances or any other discharges therefore to make seale and deliver and all and every or any the debtors or detainors of the premisses or any part thereof to take or cause to be arrested attached Sued impleaded imprisoned and condemned and prosecuted as fully as Law will permitt And any Attorney or Attorneys to make and substitute and at pleasure to revoake the same againe And generally to doe and execute all and every other act and acts thing and things needfull in or about the premisses or any part thereof as fully and effectually to all intents and purposes as I my Selfe might or may doe being personally present And I doe hereby give and grant unto my said Attorneys jointly and severally my full power strenght and lawfull authority touching the p^rmsies and I doe and will at all times ratifie allow and confirme all and whatsoever my said Attorneys jointly or Severally shall doe or cause to be done in or about the premisses or any part thereof by these presents In Wittnes whereof I the said Henry Scarborough have hereunto sett my hand and seale this sixteenth day of October Anno Domⁱ 1668 Annoq^{ue} Regni Caroli Seundi Anglica &c xx.^o Henry Scarburgh sealed.

Sealed & delivered in the p^rsence of Us

Robert Pitts

James Weedon

On the back side of the aforegoeing letter of Attorney was this written, Robert Pitt and James Weedon witnesses to the within written Letter of Attorny doe make Oath that in their presence Henry Scarburgh the subscriber did seale and deliver the said letter of Attorney as his act and deed. p. 53

March the 6th 166⁸ Sworne before me

Will: Stevens

Memorandum that the said William Stevens in Open Court to wit the fifteenth day of April in the 42th yeare of the Dominion of Cæcilius &c tooke his Oath that the said Robert Pitt and James Weedon tooke the Oath abovesaid before him the day and yeare abovesaid

Liber P C Ordered that Daniel Jenifer pay unto the said William Stevens the full quantity of Seven hundred pounds of tobacco for his coming going and attendance here to testifie as aforesaid.

Know all men by these presents that I Charles Scarburgh of the County of Northampton at Accomack in the Collony of Virginia Gent the Attorney Agent or ffactor of Henry Scarburgh of Norwalsham in the County of Norffolke in the Kingdome of England Esq have assigned authorized and appointed and in my place and stead as Attorney aforesaid but to the proper use and behoofe of the said Henry Scarburgh have putt and constituted Daniel Jenifer of the province of Maryland Gent my true and lawfull Attorney for him the said Henry Scarburgh and in his name to aske levy sue for recover and receive all and every debts duties Summe and summes of mony goods wares merchandize due oweing or belonging unto him the said Henry Scarburgh from any person or persons whatsoever in Virginia or Maryland by bill bond specialty booke accompt reckoning contract or otherwise howsoever and generally to doe manage and performe execute and Order all and every the affaires of the said Henry Scarburgh and businesses within Virginia and Maryland aforesaid in as ample and full manner to all intents and purposes as either I my selfe or the said Henry Scarburgh might or may doe being personally present and upon receipt of the premisses or any part thereof acquittances or any other discharges therefore to make seale and deliver and all and every or any the debtors or detainers of the premisses or any part thereof to take and cause to be arrested attached fined impleaded imprisoned & condemned and prosecuted as fully as Law will permitt and any Attorney or Attorneys to make and substitute and at pleasure to revoke the same again and generally to doe and execute all and every other act and acts thing and things needfull in or about the premisses or any part thereof as fully and effectually to all intents and purposes as I my selfe or the said Henry Scarburgh might or may doe being personally present And I doe hereby give and graunt unto my said Attorney or Deputy as full power strenght and lawfull authority touching the premisses as I my selfe have in and by One Letter of Attorney from the said Henry Scarburgh beareing date the 16th day of October One thousand six hundred sixty eight hereby promising and allowing unto my said Deputy or Attorney upon demand all such tobaccos or other disbursements as he shall make or expend in or about the suing for the premisses but more especially for all Officers ffees and other disbursments lawfully expended by my said Deputant in and about One cause depending in the Chancery of Maryland on behalfe of the said Henry Scarburgh against the estate of John Bateman deceased hereby ratifieing allowing and confirmeing all & whatsoever my said Attorney or Deputy

shall doe or cause to be done in or about the premisses or any part thereof by these presents In wittnes whereof I the said Charles Scarburgh as the Attorney and Agent of the abovenamed Henry Scarburgh have hereunto sett my hand and seale in the margent hereof this first day of April One thousand six hundred seventy One.

Cha: Scarburgh seale.

On the backside of the abovesaid Letter of Attorney was thus written vizt The within written letter of Attorney was by the within named Charles Scarburgh acknowledged as his Act and deed to the within named Daniel Jenifer in the presence of Us.

Thomas Aram
George Kirkam
Mary Williams

Memorandum that the abovewritten Letter of Attorney was the 15th day of April 1674 proved in Open Court here by the Oath of Thomas Aram one of the wittnesses thereunto.

Ordered that the former bill be dismist without Costs and that the def^{ts} putt in their severall and respective answers by the nineteenth day of May next ensuing.

M^r Robert Ridgley.

S^r I desire you will be retained One of M^r Henry Scarburghs Attorneys and in case of my failing to appeare at the next Court in the said cause that you would please to act as fully and amply therein as if I were personally present and this shall be your sufficient warrant of Attorney therein from under my hand as the Attorney and On the behalfe of the abovenamed Henry Scarburgh Complainant and Cap^t Richard Pery and Others defendants this 21th day of April 1674.

Daniel Jenifer

To M^r Robert Ridgley Attorney
of the Provinciaill Court
Wittnes Jn^o Blomfeild

Memorandum that Die Sabati 7^e Martij 1673 came Robert Lasly administrator of the goods and Chattells of John Bigger Sen late of Calvert County deceased by his Procurat^r Robert Carville and shewed that upon the forth day of June last past John Brigger ju^r tendred an accompt upon Oath of the estate of John Bigger Senior deceased to the value of eight thousand six hundred and five pounds of tobacco besides sixteen dozen of wooden combes not valued and three dozen of pinns the said administrator therefore prayed that the said Bigger ju^r might be Ordered to deliver to him the said eight thousand six hundred and five pounds of tobacco and the sixteene dozen of combes and the three dozen of pins or the value of them whereupon the judge considered that forasmuch as every Executor whether by right or of his Owne wrong is presumed to

Liber P C have in his possession all the goods in the Inventory by him exhibited upon Oath Therefore Ordered that John Bigger ju^r doe pay unto the said Robert Lasley the administrator of John Bigger Sen deceased the value of the said Inventory by the said Bigger ju^r exhibited upon Oath vizt eight thousand six hundred and five pounds of tobacco together with sixteen dozen of wooden combes and three dozen of pins or the true value for which he sold them

Now here at this day to wit the fifteenth day of April in the two and fortith year of the Dominion of Cæcilius &c Came the said John Bigger ju^r in his proper person and Offered himselfe to satisfie the abovesaid Order.

Margarett Penry complt ag ^t	}	The Hon ^{ble} Samuel Chew and
Thomas Howell George Wells & Johanna Goldsmith, def ^{ts}		Thomas Taylor Esq ^{rs} both members
		of this Court being appointed Audi-
		tors to audite state and examine the
		accompts of the def ^{ts} Howell and Goldsmith, of the estate of ffrancis
		Wright deceased And also to examine wittnesses upon Oath on
		either part and to meete at such tymes and place as they in their
		judgment shall thinke fitt and seeme convenient & make report to the
		Court how much shall be found due from the defend ^{ts} Howell and
		Goldsmith to the estate of the said Wright So that the Court being
		fully informed of the truth may doe therein as to right and justice
		appertaines.

Now here at this day to wit the sixteenth day of April in the 42th year of the Dominion of Cæcilius &c The Said Samuel Chew and Thomas Taillor made their report as followeth vizt

By virtue and in Obedience to an Order of the high and hon^{ble} Court of Chancery to Us underwritten directed bearing date the thirteenth day of ffebruary last past impowring Us in a cause betweene Margarett Penry Complainant and Thomas Howell George Wells and Johanna Goldsmith defendants to audite state and examine the accompts of the def^{ts} Howell and Goldsmith of the estate of the said Wright Wee the said Auditors thought fitt and convenient to meete at the house of John Larkin in Ann Arundell County upon the twentieth day of March last past and did give timely notice of our said meeting unto the said Complt and the said def^{ts} that Wee should be then and there ready to audite their said accompts. On which said twentieth day of March at the place aforesaid the def^{ts} Thomas Howell did appeare with his papers and accompts aforesaid with One
p. 55 Wittnesse named John Claver who being examined by Us did take his Corporall Oath that two Negro Servants to the said Wright that is to say One man named Robert and One woman called Mary did dye upon the plantation in the year 1669. And that the said Complt did not appeare untill the 24th of the same month of March

at which day wee thought it convenient to meete againe at the house of the said Larkin, And the said complainant by her Attorney Kenelm Cheseldyn did then and there alleadge before Us that the said Compl^t being arrested in Baltemore County was circumvented of getting Supena's for the appearence of her witnesses for want of which she was altogether incapable to make her defence in the premisses and that the said def^t Thomas Howell had all his papers and accompts ready. But not knowing any Occasion he should have for evidences to prove his accompts without which wee could not proceed any further in the premisses This is Our Report in the premisses in Obedience to your Order aforesaid is Certified under Our hands and seales this eight day of April in the two and fortith yeare of the Dominion of the Right Hon^{ble} Cæcilius &c Anno^q Domⁱ 1674. Liber P C

Which being read and heard it is this day Ordered That the first administrators accompt fully and wholly before the Comissary Gen^l and Cheife judge for probate of Wills and granting administration and that the evidence upon record be good evidence to the said Cheife judge and upon examination of the accompt to act and doe as the Act for preservation of Orphants estates provideth.

Tobias Wells Compl ^t	}	}
ag ^t		
John Wright et ux def ^t	}	}
Jonathan Hopkinson Compl ^t	}	}
ag ^t		
John Wright & Rich. Snowden	}	}
John Edmundson Compl ^t	}	}
ag ^t		
John Clements Tho: Vaughan	}	}
& Jn ^o Ingram def ^{ts}		
Thomas Sprigg Compl ^t	}	}
ag ^t		
Tho: Truman & Nath. Truman	}	}

these foure causes continued untill
next Court.

Memorandum it was Comanded the Sheriff of s^t Maries County That whereás the Right Hon^{ble} the Lord Proprietary of this Province &c did by his letters patents under the great Seale of this province beareing date the seventh day of September in the yeare of Our Lord 1663 for the considerations therein named grant unto Thomas Gerard Esq^a a parcell of land called the medowes lying at the head of Wiccocomocco River in s^t Maries County Containing and then laid Out for foure hundred acres more or lesse as by the said Grant relation being thereunto had more fully and more at

Liber P C large it doth and may appeare Now for that his Lopp had long before that time reserved for his Owne Use a parcell of land in s^t Maries County called Choptico Mannour of which the said parcell of land is part and the said Thomas Gerard being sensible thereof fraudulently procured his Lopp^s Grant aforesaid to the disinherizon of his Lopp and his heires of the premisses and the said Thomas Gerard being since deceased. That by good and lawfull men of his Bailiwick he make knowne and give warning unto Thomas Gerard Son of the said deceased who claimeth the same under him that he be before his said Lopp in his Court of Chancery this fourteenth day of April to shew cause if any he have wherefore the said Letters patent of the said land as aforesaid made ought not to be revoaked and adnulled and the same into his Lopp^s hands be seized, and to doe and receive what his Lopp^s said Court shall doe or grant to be done in this behalfe. And how he shall execute this precept that he make knowne to his Lopp^s said Court and the day aforesaid and that he have there this writt.

p. 56

At which said day to wit the fourteenth day of April in the 42th yeare of the Dominion of Cæcilus &^e came the said Sheriff and made returne of the writt aforesaid and saith that by Virtue of that writt he hath made knowne to the within named Thomas Gerard that he be and appeare at the day and place within specified as the writt requires. Wittnes Cap^t John Jordaine and Abraham Combes.

And the said Thomas Gerard likewise came and the said Thomas Esq^r Robert Carville his Attorney prayed licence of speaking hereunto untill the first day of the next Court and it is granted unto him the same day given to both partys.

Lord Proprietary	}	this cause Continued untill next Court.
ag ^t		
John Nichols		

The Court adjourned untill the 12th of May next

Maryland ss Att a Court held for the Chancery and
Provinciall Court begun On Tuesday the twelfth day of
May in the 42th yeare of the Dominion of Cæcilus &^e at
the City of s^t Maries and there continued untill the six-
teenth day of the same month

Present

The Hon ^{ble}	{	His Excellency Charles Calvert Esq ^r Cheife justice
		Philip Calvert Esq ^r Chancellour
		William Calvert Esq ^r Principall Secretary
		Baker Brooke Esq ^r

Liber P C the meadows ought to be revoked and adnulled and the same into the hands of his said Lo^{pp} Ought to be Seized because he saith that long before the taking up of the said Land by him the said Thomas Gerard the said Lord Proprietary the same Land had reserved for his Owne proper Use and did by his instructions to his Governour there make knowne the same who did publish and declare the same to his Lo^{pps} said Council and his Lo^{pps} Surveyour Gen^l of the said Province which was sufficient notice of his said Lo^{pps} reserve as well to the said Thomas Gerard as all other the Inhabitants of his Lo^{pps} said Province and that the said foure hundred acres of Land called the meadows is part of his Lo^{pps} said Mannour of Chaptico and within his Lo^{pps} said reserve And as to the remaining part of the said plea that the said reserve was not entred upon record it Ought not to debarre him the said Lord Proprietary from causing the letters pattents aforesaid to be vacated it being the laches and negligence of his Officers which Ought not nor cannot prejudice him the said Lord Proprietary and that no prescription of time can anyway prevaile against him the said Lord Proprietary and that he is ready to averr and thereupon demands judgment and the defendant likewise.

Whereupon it was Considered by the Court that the aforesaid Letters pattent of his said Lordship the Lord Proprietary shall be revoked cancelled evacuated adnulled and for void and invalid had and esteemed and also that the inrollment of Record of them shall be cancelled and adnulled and for void and invalid held and esteemed.

Tobias Wells Complainant	} the parties Complainant and def ^{ts} appearing this cause coming to a hearing in the presence of the At- adm ^{rs} Barth: Gleven def ^{ts} } tornyes On both sides the Complaints bill and replication and the def ^{ts} answer being Openly read and heard and by the Court considered of the Court was cleerely satisfied that the Quietus in the def ^{ts} answer pleaded in barr against the Complainants bill of Complaint for the summe of fourteene thou- sand three hundred and seaventeen pounds of tobacco due by recog- nizance from the said Bartholomew Glevin deceased to the Compl ^t was not a Sufficient discharge of the def ^{ts} against the Complainant but that the same ought first and primary to have bin satisfied before debts of a lower nature and therefore upon examination of accompts by the Court here the def ^t haveing produced severall bills notes and receipts in discompt of the said summe to the value of five thousand six hundred fifty One pounds of tobacco and by the Complainant allowed of the Court doe hereby Order and decree that the said John Wright & Mary his wife doe pay to the Complainant as well the summe of eight thousand six hundred sixty six pounds of tobacco the remainder of the said Summe of fourteene thousand three hundred
ag ^t John Wright & Mary his wife	

and Seventene pounds of tobacco as also the summe of Six thousand pounds of tobacco for his costs and damages in this behalfe sustained which said summes in the whole doe amount unto the summe of fourteene thousand six hundred sixty six pounds of tobacco to be by the said John Wright & Mary his wife paid to the said Tobias Wells. Liber P C

Jonathan Hopkinson Complt ag ^t John Wright & Ri: Snowden def ^{ts}	}	The parties Complainant and def ^{ts} appeareing and this cause coming to a heareing in the presence of the Attorneys on both sides and the bill and replication of the Comp ^t and def ^{ts} answer & all other papers touching the same were openly read and heard and by the Court considered off and the Court is fully satisfied that the Patent Granted the def ^t Wright for six hundred and forty acres of land called Bingley in the Complots bill of complaint mentioned ought to be delivered up cancelled and made void upon record, And doe hereby Order and decree that the said pattent for the said parcell of land called Bingley be delivered up by the said John Wright and cancelled adnulled and vacated upon record, and that the defdt John Wright pay to the Complainant Jonathan Hopkinson the full quantity of three thousand five hundred pounds of tobacco for his costs in this behalfe laid Out and also that the said Richard Snowden repay to the Complainant the summe of three thousand pounds of tobacco.	p. 58
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Comand was given to the sheriff of s^t Maries County that by good and lawfull men of his Bailiwick he make known unto John Nichols that he be and appeare before his Lopp^s justices the 14th day of April last past to shew cause if any be had why the Letters pattent of a parcell of land called Tinkerly or Wickahandyck containeing 350 Acres to him granted should not be vacated upon record and patent of confirmation for the sune be granted to William Pritchett Sonne and heire of John Pritchett deceased and the same Sheriff saith that he hath made known to the said John Nichols that he be and appeare at the day aforesaid but the said John Nichols came not but made default, day was then given him untill this Court but the said John Nichols came not therefore Ordered and decreed by the Court here that the aforesaid Letters pattent of the said Lord proprietary shall be revoaked cancelled evacuated adnulled and for void or invalid had and esteemed and also that the inrollment of record of them shall be cancelled and adnulled and for void and invalid held and esteemed and that pattent of Confirmation thereof be granted to William the Son and heire of the said John Pritchett

Liber P C Raymond Stapelfort } the def^t being in the custody of the Sheriff of
 ag^t } s^t Maries County at the suite of the said Ray-
 John Balley } mond Stapelfort upon a Capias ad satisfac-
 } iendum for two thousand pounds Sterl petitioneth that Court for a
 } writt of Error and supersedeas which was granted unto him by the
 } Court here returnable the six and twentieth day of May next.

Margarett Penry Comp ^{lt}	}	these five causes continued.
ag ^t		
Thomas Howell & als def ^{ts}		
Henry Scarburgh Comp ^{lt}		
ag ^t		
Rich: Pery & als def ^{ts}		
John Edmundson Comp ^{lt}		
ag ^t		
John Clement & als def ^{ts}		
Thomas Sprigg Comp ^{lt}		
ag ^t	}	
Tho: Truman & als def ^{ts}		
W ^m Guither Comp ^{lt}		
ag ^t	}	
Thomas Mathews & als def ^{ts}		

The Court adjourned untill the 13th of October next

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Att a Court held for the Chancery the nineteenth day of
 May in the 42th yeare of the Dominion of Cæcilius &
 Annoq̄ Doñ 1674 Present
 His Excellency the Cap^t Generall Cheife judge in Equity

The Hon ^{ble}	{	William Calvert Esq̄ Principall Secretary
		Samuel Chew Esq̄
		Thomas Taillor Esq̄
		Jesse Wharton Esq̄

Henry Scarburgh Comp ^{lt}	}	In pursuance of an Order of this Court made the 14 th day of April last past that all the def ^{ts} answer severally & respec- tively to the Complainants bill of Complaint the said def ^{ts} to witt Thomas Truman and Mary his wife, John Gittings and Thomas Gant now here at this day to witt the said 19 th day of May in Open Court deliver in their severall answers to the Complainants bill of Complaint and made Oath thereunto whereupon tyme was granted to the Complainant untill the morrow to know if he would reply thereunto
Richard Pery & als def ^{ts}		

Att which said day to witt the 20th day of May in the yeare afore-
said Came the said Henry Scarburgh by Robert Ridgely his Attorney Liber P C
and prayes One weekes time after he shall have Coppyes of the said
def^{ts} answer to reply and it is granted unto him

Memorandum the severall answers of Thomas Truman & Mary
his wife John Gittings and Thomas Gant def^{ts} to the bill of Com-
plaint of Henry Scarburgh Complainant were Coppyed and delivered
Robert Ridgely Attorney for the Complainant the 30th day of May
then next following.

Henry Scarburgh Comp^{lt} }
ag^t } June 29th 1674
Richard Pery & als def^{ts} }

This day appeared before me at Mattapenny Robert Ridgely At-
torney for the Comp^{lt} and Robert Carvile Attorney for the def^{ts} and
the said Comp^{lt} prayes proces against the def^{ts} Pery and mary
Bateman daughter of John Bateman deceased that so they might
answer to the Bill of Complaint and the said Attorneys did consent
that Subpcena should issue against them returnable the 29th of July
next and in case of their not appearance then an attachment & other
proces monthly without craveing any further Order of the Court
untill they shall putt in their answers wherefore the register in
Chancery is Ordered to issue the said proces accordingly.

Charles Calvert.

Maryland ss Att a Court held for the Chancery the elev-
enth day of December in the three and fortith yeare of the
Dominion of Cæcilius &c Annoq̃ Doñ 1674 present
The Hon^{ble} Charles Calvert Esq̃ Lieutenant Gen^{ll} and
Cheife justice

The Hon.^{ble} { Philip Calvert Esq̃ Chancellour
W^m Calvert Esq̃ Secretary
Samuel Chew Esq̃
Jesse Wharton Esq̃

Richard Hatton and Ann his wife daughter } This cause Standing in
and heire of John Price deceased Comp^{its} } the paper of causes
ag^t } ready for heareing upon
Thomas Dent William Hutton George } bill and answer by the
Mecall and Daniel Clocker def^{ts} } consent of both parties
Complainants and defendants and their procurators then present in
Court This Court upon reading the Complainants bill and the de-
fendants answer and the Will of the said John Price Doe thinke fitt p. 60
and So Order and decree That the said Severall defendants doe
forthwith pay or cause to be paid to the said Complainants Richard

Liber P C and Ann Hatton the sūme of twenty thousand five hundred and fifty pounds of tobacco in the account menconed as also that they doe forthwith deliver unto the said Complainants or their Order the like quantity and Stock of Cattle horses hoggs and goods in the said account mentioned according to age and number or full Satisfaction for the same according to the true intent and meaning of the Condition of the said bond of eighty thousand pounds of tobacco and that the precept or other legall discharge or release under the hands and Seales of the Complaints shall be their sufficient discharge for the sūme tobacco goods and stock of Cattle and hoggs and against the said bond of eighty thousand pounds of tobacco And it is further Ordered and decreed that the said defendants doe also forthwith quit the possession of the Lands Plantation and premisses in the Will mentioned and bequeathed to her the said Ann and deliver the same quietly and peaceably to the Compl^t and upon payment of the said Summe of tobacco and delivery of the stock of hoggs and Cattle and Goods and Plantation and premisses aforesaid the said bond of eighty thousand pounds of tobacco to be delivered up to be cancelled and the said defendants for their doing herein are for ever hereafter saved harmless and indemnified by this present Decree.

This Indenture made the Eighteenth Day of November Anno Dñi 1674 And in the Six & Twentyth Year of the Reighne of our Sovereign Lord Charles the Second by the Grace of God King of England Scotland ffrance and Ireland Defender of the ffaith &c Between Mary Bateman of London Spinster Daughter and Heire of John Bateman late of London Haberdasher Deceased Otherwise Called John Bateman late of Petuxent River in the Province of Maryland in America planter And of Mary Bateman wife and afterwards Widdow of the Said John Bateman And Henry Scarborough of North Waltham in the county of Norf Gent of the one Part and Richard Perry of Petuxent in Maryland in America Merchant of the other Part Witnesseth that the Said Mary Bateman for and in Consideraçon of the Sume of One hundred pounds of Lawfull money of England to her in hand Well and truly paid by the Said Richard Perry the Receipt Whereof shee Doth hereby acknowledge and thereof and of every part thereof Doth ffully Clearly and absolutely acquit exonerate and Discharge the Said Richard Perry his heirs Executo^{rs} & Adminis^{rs} for Ever by those p'sents by and with the consent Direcçon and Appointm.^t of the Said Henry Scarbrough Testefied by his being Party hereunto and Sealing and Deliv'ing hereof hath granted bargained Sold Aliened enfeofed Released transferred Assigned and Set over And by these p'sents doth grant Bargaine Sell Alien enfeof Release Transferre Assigne and Sett over unto the Said Richard Perry All that Mannor with the Appurtenances Called the Resurrecçon Mannor in the Provncie of Maryland

in America and all Plantacons Messuages howses Edfices buildings Mills and Mill howses Store howses Tobacco howses Barnes Stables Outhowses Orchards Gardens Lands Tenem^{ts} & Hereditan^{ts} whatsoever to the Said Mannor belonging or Appertaining or accepted or Reported as Part Parcell member or Appurtenance thereof and also all & Singular other Lands Tenem^{ts} Reall Estate and Hereditam^{ts} with their and every of their Appertenēces within the Said Province or elsewhere in America aforesaid which was or were granted or Conveyed unto or purchased by the Said John Bateman her Said late ffather or in the Name of any other pson or psons whatsoever in trust for the Said John Bateman or to and for his use And also all and every the Servants Negroes and all Merchandize Stocks howsehold goods bonds bills debts dutyes Rents and all arrears thereof goods Chattels & Personall Estates whatsoever within the Said Province or else where in America aforesaid in any wise due or belonging or Apperteyning to the Said John Bateman and Mary his Relict or either of them and all her estate Right Title Interest Trust Equity power and Right of Redempcon Property Claims and demand w^{so}ever of in or to the Said Mannor Plantacons Messuages Lands Tenem^{ts} Reall Estate & Hereditam^{ts} or any of them or any Part or Parcell of them or of in or to all or any the Servants Negroes Marchandize Stock household goods bonds bills Debts dutyes Rents and all arrears thereof and every part thereof which shee the Said Mary Bateman her Heirs Executors Admin^{rs} or Assignes may cann might should or of Right ought to have & enioy challenge or Demand either as Heire to the Said John Bateman and Mary his Relict or either of them or as Executo^{rs} or Admini^{rs} to the Said John Bateman and Mary Bateman or either of them or otherwise howsoever And the Revercon & Revercons Remainder and Remainders Rents yssuing & Profitts w^{so}ever of all Singular the p^rmisses and every pt and pcell thereof with their and every of their Appurtenances And the Said Henry Scarbrough for and in Consideration of the Summe of ffoure hundred and twelve pounds of Lawfull money of England to him in hand well and truly paid by the Said Richard Perry att and before the ensealing and Delivery of these p^rsents the Receipt whereof he Doth hereby acknowledge and himselfe to be therewith fully Satisfied and thereof and of every part thereof Doth hereby acquite exonerate & Discharge the Said Richard Perry his Heirs Executors Admini^{rs} and Assignes for Ever hath bargained sold transferred assigned Released and Confirmed And by these p^rsents Doth bargain Sell assigne Transferr Release and confirme unto the Said Richard Perry his Heirs Executors and Admini^{rs} all his Estate Right Title Interest Trust Claims and Demand both in Law and Equity of and in all and Singular the Lands Mannor Plantacon Messuages Mill howses store howses Tobacco howses Lands Tenem^{ts} & Hereditam^{ts} and all other the p^rmisses above mentioned

Liber P C

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Liber P C with their Appertenēces as well Reall as Personall by the Said Mary Bateman pty to these p'sents granted bargained Sold Transferred and Assigned or ment mentioned or Intended to bee hereby granted bargained Sold Transferred and assigned to the Said Richard Perry as aforesaid And the Revercōn and Revercōns Remainder and Remaind.^{rs} Rents yssues and Proffits of all and Singular the Proffits p'misses every or any part thereof with the Appurtenances To have hold and enioy the Said Mannor Plantacōn Messuages Mills Mill howses Store howses Tobacco howses Lands Tenemts and Hereditam^{ts} and all and Singular other the Said Reall p'misses with their
 p. 63 and every of their Appurtenances whatsoever hereby granted bargained Sold and Confirmed or meant menconed or Intended to bee hereby granted bargained Sold and Confirmed unto the Said Richard Perry his Heirs and assignes to the only use and behoofe of the Said Richard Perry his Heirs and assignes for Ever and to and for noe other use intent purpose Trust or Confidence whatsoever And to have hold and enioy the Servants Negroes Merchandize Stocks and all other the goods Chatles & Personall Estate aforesaid with the Appurtenances hereby bargained Sold Transferred and Assigned or meant mentioned or Intended to be bargained Sold Transferred and Assigned unto the Said Richard Perry his Executo^{rs} Admini^{rs} & Assignes as his and their Owne pper goods chatles and Personall Estate for Ever as fully Amply and Beneficially to all intents and purposes as the Said Mary Bateman either as Executrix or Administratrix unto the Said John Bateman and Mary his Said wife and Relict or either of them or otherwise howsoever And as ffully & Amply as the Said Henry Scarborough his Executo^{rs} or Administrato^{rs} by virtue Colour or p'tence of any trust or confidence in the Said John Bateman and Mary Bateman Deceased or either of them by him the Said Henry Scarborough Reposed may might Could or ought to have and enioy the Same if these p'sents had not bene made And the Said Henry Scarborough for himselfe his Heirs Executo^{rs} and Administrato^{rs} Doth covenant p'mise and grant to and with the Said Richard Perry his Heirs Executors & Assignes by these p'sents that the Said Richard Perry his Heirs Executo^{rs} & Assignes shall and may from time to time and att all times henceforth peaceably and quietly have hold use Occupy possesse and enioy the Said Mannor Plantacōn Messuages Mills Mill howses Store howses tobacco howses Lands Tenem^{ts} and Hereditam^{ts} and all and Singular the above menconed premisses as well Reall as Parsonall with their and every of their Appertenēces without any the Lett Suite trouble Contradicōn evicōn Disturbance or contradicōn Interruption w'tsoever of or by the Said Henry Scarborough his Heirs Executo^{rs} Admini^{rs} or Assignes or any of them or any pson or psons whatsoever
 p. 64 Claiming or to Claime by from or under him them or any of them or

by his or their means Act consent default or ꝑcurem.^t And the Said Mary Bateman for her Selve her Heirs Executors^{ts} & Assignes Doth Covenant ꝑmise and grant to and with the Said Richard Perry his Heirs Executors and Assignes that shee the Said Mary Bateman for and notwithstanding any Act matter or thing by her Acted done Comitted or Suffred hath good Right and Lawfull Authority to grant bargain Sell Transferre and assigne the Said Mannor Plantacon Messuages Mills Mill howses Store howses Tobacco howses Lands Tenements and Hereditam.^{ts} and all and Singular the above menconed p'misses as well Reall as Personall unto the Said Richard Perry his Heirs Executors & assignes in mannor and to the use aforesaid And that he the Said Richard Perry his Heirs Executors & Assignes shall and may from time to time and at all times hereafter peaceably and quietly have hold occupy possesse and enioy the Said Mannor Plantacon Messuages Mills Mill howses Store howses tobacco howses Lands Tenem^{ts} and Hereditam.^{ts} and all and Singular the above mentioned p'misses as well Reall as Personall without the Lett Suite trouble contradicōn eviccōn Disturbance or Interruption w'soever of or by the Said Mary Bateman her Heirs Executors or Assignes or any of them or any Person or Persons whatsoever claiming or to claime from by or under her them or any of them or by her or their means assent Consent title or ꝑcurement And that shee the Said Mary Bateman her Heirs Executors and Admini^{ts} and all other Person and Persons claiming and to Claime from by or under her them or any of them shall & will from time to time and att att all times hereafter att the Request cost and charges in the Law of the Said Richard Perry his Heirs Executors or Assignes make Doe acknowledge Suffer and execute all and every Such further & other Lawfull & Reasonable Act and Acts Devise and Devises assurance and Assurances in the Law whatsoever for the further and better conveying Selling Transferring and assuring of the Said Mannor Plantacon Messuages Mills Mill howses Store howses Tobacco howses Lands Tenem.^{ts} and Hereditam^{ts} and all and every the premisses above mentioned as well Reall as Parsonall and every of them with their and every of their Appertences unto the Said Richard Perry his Heirs Executors^{ts} and Assignes as by the Councell Learned in the Law of the Said Richard Perry his Heirs Executors^{ts} or Assignes shalbe Reasonably advised Devised & Required Soe as the Said Mary Bateman her Heirs Executors^{ts} or Admini^{ts} bee not compelled to Travell further then the cittyes of London or Westminster for the Doeing thereof In witness whereof the Parties first above Named to these p'sents their hands and Seals Interchangeably have Sett the Day and yeare first above Written

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Mary Bateman (Sealed)
Henry Scarborough (Sealed)

Liber P C On the Backside of the aforegoing Deed was then written (viz^t)
Sealed and Delivered in the p^rsence of

R: Langhorne
Michael Wilkins
James foster
Michael Ballowe
Edw. Noell

p. 66 To all People to whome these p^rsents shall Come S^r Robert Vyner Knight and Baronett Lord Mayor of the citty of London and the Alderman or Senators of the Same citty Lond Greeting Know Yee that on the Day of the Date hercof their Appeared and Personally came into the Kings Maiestie Court holden before us in the chamber of the Guildhall of the Said citty Mary Bateman of London Spinster Daughter and Heire of John Bateman late of London Haberdasher deēd otherwise called John Bateman late of Patuxent River in the Province of Maryland in America planter and of Mary Bateman wife and afterwards the the widow of the Said John Bateman And Henry Scarbrough of North Walsham in the County of Norfolcke gent and then and there and in p^rsence of Severall witnesses thereunto called did Seale and Deliver as their Act and Deed to the use of Richard Perry of Petuxent in Maryland in America Marchant the Indenture of Bargaine & Sale (Purporting a conveyance of the Resurreccon Mannor in Maryland in America from the Said Mary Bateman and Henry Scarbrough to the said Richard Perry) hereunto Annexed bearing date the eighteenth day of November 1674 and in the Six and Twentyth year of the Reigne of our Sovereigne Lord Charles the Second by the Grace of God King of England Scotland ffrance & Ireland Defender of the ffaith &^e expressing and Declaring their minds and desire that the Same may have its full effect according to the true intent & meaning thereof In witnes whereof Wee the Said Lord Mayo^r and Aldermen or Senators of the city of London have caused the Seale of the Office of Maioralty of the Said citty to be put to these p^rsents Dated at London the One & twentyth day of November Año Dñi (Stilo Anglie) 1674 And in the Six and twentyth Year of the Reigne of our Sovereigne Lord Charles the Second by the Grace of God of England Scotland ffrance and Ireland King Defender of the ffaith &^e Wagstaffe

In y^e Chancery Maryland

Whereas heretofore that is to Say in December Court in the Yeare of our Lord 1674 Richard Hatton & Ann his wife Sole Daughter & Heire of John Price late of S^t Maries County Deēd did exhibit their bill of complt in the High & Honourable Court of Chancery against Thomas Dent W.^m Hatton George Macall & Daniell Clocker def^{ts} & Thereby Setting forth that the Said John

Price being in his Life time Seazed in ffee of Severall Lands and Tenements in the Said County and of a considerable Personall Estate about ffourteene Years Since dyed Leaving the Complt Ann about Two Years old having ffirst made his last will & Testam.^t in Writing & thereby amongst other things did will & Devise unto his Sonn in Law Joseph Bullet from out of his Stocke & goods att the herring Creeke Eight Cowes & a bull Six breeding Sows Two ff feather bedds One pot one Kettle & all that tract of Land belonging to him att the Said Herring creeke the Same he fully gave to him for his use & behoofe and did thereby order that hee should have the Same when he should bee att the compleate Age of 21 Years And hee did also thereby give & bequeath unto the Comp^{lt} Ann his Debts & Legacies being payd att the Age of eighteen Years all his psonall Estate Land moveables & Immoveables w^{ts}soever should be found due to his Said estate and hee did thereby order and determine that in case shee should dye that halfe of his Said lands and Estate should be given to his Said Sonn in Law Joseph Bullet the other moyty to bee Employed in the Setting fforward a ffreeschool and in Case Bullet should dye before one and twenty years of Age his will was that the above men^oned Effects should bee wholly and Solely disposed and employed aboute the ffreeschole aforesaid and in case the Said Joseph should dye before he come to one and twenty years of Age he did order and bequeath the Land to him Bequeathed to y^e comp^{lt} Ann to be enioyed att the Age of eightene years as aforesaid And lastly hee did thereby order & appoint his Trusty and beloved ffreinds the Defd.^{ts} to the Seeing of that his last will & Testam.^t executed & p^rformed according to y^e Tenor & true meaning thereof after whose death y^e Defd^{ts} as Trustees or Guardians to the comp^{lt} Ann tooke poss^on of the Said Reall & Personall Estate & p^rcured letters of Adm^{con} of the Said Estate the Estate to bee to them Comitted and by virtue thereof disposed thereof att their wills & pleasures & exhibited an Inventory thereof out of which Severall goods belonging to the Said Personall Estate were omitted And the Said Comp^{lt} Ann being arrived att the Age of Sixteene Years & having Married the comp^{lt} Richard who are of Years of discre^on Sufficient to manage his owne Estate the Said Comp.^{ts} have Demanded poss^on of the Said Reall & Personall Estate & to have the Said defd^{ts} acco^t to them for the measne proffits of the Said Estate & proceed & increase thereof they the sd Defd^{ts} still deteyne the Same Refusing to Render the Comp.^{lt} any acco.^t thereof or maintenance out of the Same whereby no Improvem.^t can be made thereof they p^rtending the Same is not to come to the comp.^{ts} bill the comp.^{lt} Ann attaine the Age of eightene Years according to the expresse words of the will & So keepe the Comp.^{ts} out of possession contrarie to Equity To the intent therefore to have the said defd.^{ts} acco^t for the Said psonall estate and to have the decree of this court to compell

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Liber P C them thereunto & to Deliver upp possēon thereof & of the Said Lands
 p. 68 & p^rmisses Devised aforesd to the comp.^{ts} Richard & Ann in Right
 of the Said Ann or that they might have maintenance thereout they
 the S^d Comp.^{ts} Humbly Craved the ayd & assistance of this Hono.^{ble}
 Court & y^t p^rcesse of Sp^a might be thereout awarded against the S^d
 defd.^{ts} for them to appear & answear the Said bill To which bill of
 the Said comp.^{ts} the Said defd.^{ts} all of them appeared & put in their
 Joynt & Severall answers to the Said bill & thereby did Set forth that
 y^e Said John Price did make Such will as in the bill is Set forth &
 after dyed leaving the Comp.^{ts} Ann about two Years old after whose
 death the Defd.^{ts} as overseers of the Said Will & Guardians to the
 Said Infant did in pursuance of the Trust in them Reposed by the
 Said John Price his will and out of a tender care they had for the
 Orphan & to p^rserve the Estate from being wasted they caused the
 Said Will to be proved & procured ters of Adm^{con} to bee to them
 Committed in pursuance of a Law then in force Intituted an act for
 p^rserva^{con} of Orphans estates and by virtue thereof possed them-
 selves of the Said Deceaseds p^rsonall estate & Stock as they could
 finde and caused the same to be Apprayed & Inventorized & exhibited
 an Inventory thereof into the Court for Probate of wills & granting
 Adm^{cons} and tooke upp^{on} them y^e tuition & educa^{con} of the Comp.^{ts}
 Ann And being So in poss^{ion} of y^e Said decds Estate the comissio^{rs}
 of S.^t Maries County did in pursuance of the Said Law for p^rserva^{con}
 of Orphans Estates & the Authority thereby to them given as was
 then usuall in Such Cases Sumon the Said defd.^{ts} to give them an
 acco^t of the said Estate which the Said defd.^{ts} did according as by a
 copy thereof to the Said answer annexed might Appere amounting
 to the Sume of twenty thowsand ffive hundred and ffifty pounds of
 tobacco which acco.^t followeth in these words the acco.^t of Coll John
 Prices Estate p^rserved by the overseers of the Said Estate the 6th
 day of September 1664 The Estate Credito^{rs} p W.^m Hollingsworth
 Six thowsand pounds of tobacco p william Price p Contract ffifteene
 hundred pounds of tobacco p Anthony Griffin besides Court Charges
 ffour hundred pounds of tob p W.^m Palmer Ex^{rs} Seaven hundred
 pounds p W.^m Watts foure hundred twenty two pounds p Peter
 p. 69 Watts nine hundred pounds p ffr. Hill three hundred pounds p
 Thomas Hint[n] two hundred Sixty two pounds p Thomas
 Bennet nine hundred & Seaven pounds p W.^m Canaday one hundred
 Sixty nine pounds p ffrancis Jackson One thowsand in bedding &
 att Daniell Clockers vallued according to Appraysem.^t Seaven hun-
 dred Ditto with Joseph Bullet vallued at three hundred & ffifty p
 M^r W.^m Hatton two thowsand pounds p Daniell Clocker two thow-
 sand eight hundred & Seventy p George Macall ffoure thowsand &
 p Tho: Dent Seaventy Nine pound of tobacco twenty two thowsand
 ffive hundred ffifty Six pounds tob p Thomas Dent in money two
 pounds tenn shillings Coll Prices Estate D^r 1664 p order of Court

payable to M.^r Robert Slye Six hundred pounds of tobacco to Daniell Clocker for Nursing & pvision ffourteene hundred & Six pounds of tobacco Two thowsand Six pounds of tobacco the Ballance twenty thowsand ffive hundred and fifty pounds of tobacco on acco.^t of the Catle p eightene Cowes nine with calves & nine without calves their Age three cowes three Years old three Cows ffoure Years old three Cows five years old three Cowes Six Year old three Cowes Seaven Years old and three Cowes eight years Old p eight Yearling Heafers & Stears & Six two year Old catle three ffemale two stears and one bull p three years old heafers p ffive Stears above ffive & Six Years old p one Bull p one Mare & a Yearling horse Colt p Thomas Dent's penn a Cowe newly calved p Thomas Hinton & Bennet a Cowe & Calfe p Tho Bennet three Ditto p William Watts two ditto p william Cannaday three ditto these nine Cowes are ffoure of them Six Years old and five of them ffive Years old at the herring Creek One Cowe and Calve Two stears three Years old p ffancis Hill Severall goods to be Retourned according to Condiçion An Acco.^t of the hoggs p W^m Bushell & Thomas Hinton ffive Soves p W.^m Cannady ffoure ditto Ditto Plantaçon Eleaven Soves & Barrowes & eight piggs as by the Said acco.^t Relaçon being thereunto had may more plainly appear which Said acco.^t being allowed & approved of by the Said Com^{rs} the Court did upon the Sixth day of September Anno Do^m 1664 Order the Said Defd^{ts} to give Security to them y^e Said comissio^{rs} or their Successo^{rs} in the Summe of Eighty thowsand pounds of tobacco which they accordingly did and bound themselves Jointly & Severally in the Said Summe on this condiçion hereunder written that if the Said Defd.^{ts} should pay or cause to be paid unto the Orphan of Coff John Price & Joseph Bullet the Summe of Twenty thowsand ffive hundred and fifty pounds of tobacco and all Catle Hoggs & other goods according to the Acco.^t afore Recited according to y^e Tenor & effect of y^e Said Prices will or to Returne the Same to the Court whom they should be thereunto Lawfully Called and the Said Defd.^{ts} further Sayd that by virtue of the Said Order they did make Division of the Said Estate & Stocke of catle & hoggs and One ffourth part thereof the Said Daniell clocker tooke into his custody and possession & the other three parts were in the possiõ of the other Defd.^{ts} and they were Ready to be accountable for the Same and pay & deliver togeather with the Said twenty thowsand five hundred & ffifty pounds of tob due to the Orphant Ann for her p.^t according to the Said Bond as also to Deliv^r upp the Reall Estate Soe bequeathed to the Said Orphant Ann att her Age of eightene Years unto the Said comp.^{ts} Richard & Ann who they Say are lawfully Married and of Sufficient y^{rs} to manage y^e Said Estate themselves to to doe any other Legall Act for y^e Investing the Said Comp.^{ts} in their Said Estate & this Hono.^{ble} Court should direct Soe as the Said Defd.^{ts} and every of them

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Liber P C might be Legally discharged of their trust and be for ever hereafter
 p^tected Indempnified & Saved harmlesse by y^e Decree of this Court
 against their bond without which decree they humbly conceived it
 would not be Safe for them to Doe The Same not being to come to
 the Said Ann till her Age of eightene Years and in case of her
 death before that time the s^d estate being by Will otherwise Limited
 & appointed or if this court should not think fitt to take the Said
 Estate out of their hands till her arrivall to the Said Age of Eightene
 Years shee being now but Sixteene years old they were & should be
 willing out of the Said Estate to allow the Comp.^{ts} Such Reasonable
 allowance for the mayntenance of the Said Ann Since her Marriage
 and till shee Come to eightene Years of Age as this Court shall
 p. 71 allow of they being indemnified as aforesaid as by the Said bill answer
 & other p^rceedings uppon the Same Remaining of Record in the
 Secretaries office Rela^con being thereunto had may more plainly
 appeare And the Said cause So standing att yssue uppon bill &
 answer A Day was by this Court Appointed for hearing thereof on
 which Day being the eleaventh Day of december in the year of our
 Lord 1674 This cause coming to a hearing in the p^rsence of the Said
 p^rts Richard & all the def^{ts} & other Attorneys in this cause uppon
 Reading of the Said bill and answer and the will of the Said Coff
 John Price this court was ffully Satisfied with the Ability of the
 Said comp.^{ts} to manage their owne Estate themselves and that it was
 Just and Reasonable that they should have poss^eon thereof to Im-
 prove the Same for the best for their future livelyhood doe thinke fitt
 & itt is this p^rsent Day that is to Say on the Eleaventh Day of
 December in the 43th Yeare of the Dominion of Cæcilius Absolute
 Lord & Prop^y of the Provinces of Maryland & Avalon Lord Baron
 of Baltemore &^c Annoq^{ue} do^m 1674 By the Right Hono.^{ble} Charles
 Calvert Esq^{ue} Cheife Justice in Equity the Hono.^{ble} the Chancello^r and
 the Rest of their Associates Justices of this Court Ordered Ad-
 iudged & Decreed that the Said Severall def.^{ts} doth forthwith pay
 or cause to be paid to the Said comp.^{ts} Richard & Ann Hatton the
 Said Sume of twenty thowsand ffive hundred & ffifty pounds of
 tobacco in the Said acc.^t menconed as also that they doe forthwith
 deliv^r unto the Said comp.^{ts} or their order the like quantity & Stock
 of Catle horses hoggs & goods in the Said acc.^t men^tioned according
 to Age & number or full Satisfac^con for the Same according to the
 true intent & meaning of the condi^con of y^e Said bond of Eighty
 thowsand pounds of tobacco entred into as aforesaid and that the
 Receipt or other Legall discharge or Release under the hands and
 Seales of the Said Comp.^{ts} shall be their Sufficient discharge for
 the Same tobacco goods & Stock of catle & hoggs aforesaid and
 against the Said bond of eighty thowsand pounds of tobacco And
 it is also further ordered & Decreed that the Said Defd^{ts} Doe also
 forthwith Quitt the possession of the Lands Planta^cons & p^rmisses in

the Will mentioned & Bequeathed to her the Said Ann & Deliver the Same quietly and peaceably to the Comp^{ts} and uppon paym^t of the Said Sume of tob and delivery of the Stock of Hoggs & catle & goods & plantacon and p^rmisses aforesaid the Said Bond of 80,000^{ls} tob to be Deliv^d upp to be Cancelled and the Said Def^{ts} for their doeing herein are for ever hereafter Saved harmless & indemnified by this p^rsent decree.

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2^d Aprill 1675

Lett this decree be Inrolled

Charles Calvert

This Decree is according
to y^e p^rties p.^{lts} & def^{ts} consent in
their Bill & answe^r now uppon
Record

Ro: Carvile

Kenelme Cheseldyne

In Chancery May the 5th 1675

Walter Hall & others Credito:^{rs} & Legatees of John
Reynolds decd Com:^{lts} W.^m Clawe the Surviving Exec:^r
of the said Reynolds defend:^t

This cause coming the p^rsent day to be heard upon Bill & Answers in the p^rsence of the Attorneys on both sides, the Com:^{lts} by their Bill setting forth That the said John Reynolds did dye seized of a certaine Tract of land called ffresh Pond Neck in the pleadings mencōned having first made his Will & therein & thereby Willed all his just debts should be paid And after the same paid he gave severall Legacies to the Comp:^{lts} the Legatees to be paid within a Yeare after the Sale of the said lands & p^rmises And of the said Will he made the Def:^t & one Jo.ⁿ Smallpeece Exec:^{rs} After whose death the said Exec:^{rs} haveing proved the said Will & possessed the said reall & psonall Estate of Reynolds sufficient to pay the Comp:^{lts} their debts & Legacies aforesaid And the said Smallpeece being since dead, the said Defend.^t As Surviving Exec:^r is wholly possessed of the p^rmises, but refuses to pay the comp:^{lts} said debts & Legacies p^rtending he hath not Assetts of the psonall Estate to doe the same Whereupon the said Comp:^{lts} desired him to sell the land to pay & discharge the same according to the true Intencon of the said Testato.^r but he refused so to doe, p^rtending he hath not by the Will sufficient authority to sell the same Therefore to have the said Def:^t Impowered to Sell the same And that the Comp:^{lts} the Credito:^{rs} & other the Cred.^{ts} of the said Testator may be paid their just debts And after the same paid the Comp:^{lts} the Legatees may be paid their Legacies so farre as the same will amount to satisfie & pay the same is the Scope of the Comp:^{lts} Bill And the Def:^t by Answer Setting fourth That he did after the death of the said Testator and the other Exec:^r Smallpeece possesse himselfe of the said Testato.^{rs} psonall Estate & did Exhibit to the Judge for probate of Wills &

Liber P C Graunting of Administracōns a just & true accompt of his payments & disbursem:^{ts} for funerall Charges, Charged about probate of the Will & of the debts & other disbursem:^{ts} in & about the managen:^t of the said Executorshipp And that thereby it appeares the said Def:^t hath not Sufficient Assetts in his hands to pay the Comp:^{ts} the Credito:^{ts} but is & allwayes was ready to pay & satisfie so farre as he hath Assetts And the Defend:^{ts} beleived the said Testato:^r intended his said land called ffresh Pond Neck should be sold for paym.^t of his debts & Legacies But he having noe Sufficient authority by the will to doe the Same, he could not nor cannot procure a purchas:^t to buy the same being not able to make a good title thereunto Without the Assistance of this Hon:^{ble} Court Which if this Court will Decree the Same to him & his heyres to sell & Dispose of the Same, he will pay the Comp:^{ts} as farre as the Same will goe & amount to pay & Satisfie their said debts & Legacies his just paym:^{ts} being first deducted & of which he is & shall be ready & willing from tyme to tyme to give a just & true accompt before the said Judge, the Credito:^{ts} also putting in their Clayme & making their debts justly appeare before the said Judge as by the said Bill & Answer may more att large Apppeare This Court thereupon & upon reading of the said Bill & Answer & the Will of the said John Reynolds was fully satisfied That itt was the Will & Inten^con of the said Testato:^r That the said lands & p^rmises should be sold for payment of his said debts & Legacies And doth therefore think fitt & so Order & Decree That the said Tract of land called ffresh Pond Neck be sold & disposed of for payment of the debts & Legacies of the said Testato:^r so farr as the same will amount to satisfie And that the said Defend:^t doe & shall hold possesse & Enjoy the same to him & his heyers forever against all manner of p^rson or p^rsons whatsoever having or p^rtending to have or Clayme any Title Right or Interest in or to the same And that all & every Guift Grant Bargaine & Sale of the p^rmises by him the said William Clawe made of the p^rmises to any p^rson or p^rsons whatsoever shall be as Effectual & binding to all intents & purposes in the Law whatsoever To hold to such p^rson or p^rsons & their heyers forever as if the said William Clawe had been Legally Vested in the same as in his owne proper right in an Estate of fee simple And itt is also further Ordered Adjudged & Decreed That the said land shall be Appraised by two or more sufficient Appraisors in the p^rsence of some of the Credito:^{ts} & Legatees what the same may be really worth And if the said William Clawe will hold & Keep the same lands & pay the value Appraised to the said Credito:^{ts} & Legatees towards Satisfac^con of their said debts & Legacies (the Defend:^{ts} just paym:^{ts} charges & disbursem:^{ts} first deducted) Itt shall & may be Lawfull for him the said Deft. absolutely to hold the same to him & his heyers as aforesaid against all persons whatsoever And it is further Ordered & Adjudged that the

said Credito:^{rs} shall att such place & tyme as the said Judge for Probate of Wills & Graunting Administracons shall appoint make before him their just debts appeare to be justly due before they shall Clayme any benefitt by this Decree And the said Defend:^t shall from tyme to tyme give a true & just Acompt of his Executorship and of his necessary paym:^{ts} & disbursem:^{ts} of the same Estate which together with the debts aforesaid being first paid Then the remainder (if any be) shall be paid to the said Legatees in such manner & proporcon as the said Judge shall appoint And upon Certificate or quietas est from the said Judge that the said Def:^t hath duely paid all as farr as he had Assetts or the Value of the land amount[ed] to Then the said Defend^t. is hereby forever Indempnified saved harmlesse against the said Credito:^{rs} & Legatees & all other psons whatsoever for or touching the said reall or psonall Estate of the said Testato:^r Jo: Reynolds

Liber P C

Lett this be Enrolled
Charles Calvert

Die Martij 3^o Martij 1673

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Whereas Luke Gardner the Sole Surviving Executor of Robert Cole late of St. Clements Bay in the County of St. Maries deceased at the request of Robert Cole Son and heire of the Said deceased and Ignatius Warren who mary the daughter of the said deceased was cited to this Court to render an accompt of his Executorship Whereupon the Said Luke the 17th of October 1673 appeared and in presence of the Said Cole and Warren delivered in his accompt of and concerning the execution of the Said Estate last will and Testament in writing Signed with his hand of w^{ch} accompt the said Robert Cole the heire and the Said Ignatius Warren prayed copies and time till the tenth of November then next Following to make their Exceptions the Said accompt which was then accordingly granted Att which Said tenth of November appeared as well the Said Luke Gardner the Execut^r as the Said Robert Cole and Ignatius Warren and the said Robert Cole the heire to the deceased delivered in his exceptions in writeing to the acc^t of the Said Executor vizt in thirteen articles in particular to which the Executor immediately made answers which were taken in writeing by the Judge or Commissary Gen^l for testamentary causes which being read & Considered off by the Said Robert Cole and nothing Further objected in particular materiall to hinder the passeing the Said accompt The Said judge would further advise himselfe himselfe upon the Said accompt in regard of the last Exception in Generall to the Said accompt made by the Said Robert namely the execut^{rs} accompt (of which he prays allowance) being so imperfect in many the particulars there being no expresse time of the Delivery or to whom or for what accompt whereby it is impossible for the said Robert to make his just excep-

Liber P C tions to severall particulars Therefore recommends the said Acc.^t to the judgment of the judge in Testamentary business to rectifie the same as to his Hon^r seems meet and agreeable to Equity And therefore the said judge did take into his hands the acc^o of the said Luke and after mature consideration thereof and the exceptions to the same made caused the same to be rectified in many particulars not mentioned in the exceptions of the said Robert and upon the 14th of February 1673 called the said Executor To make Oath to the particulars of his Own accompt that stood allowed by the said judge, which the said Executor not being able to doe in comon forme but only in the Speciall Manner as at the foot of the acc^o as annexed The said judge declared that in regard the said Luke Gardner never tooke Out Letters Testamentary upon probate of the Will of the said Robert Cole deceased, never tooke the Oath of Executor to make a true accompt nor never made Inventory or appraisement of the Goods Chattells rights and creditts of the said deceased, nor hath Kept Such an accompt of his administra^on of the goods Chattells rights and Creditts of the said Robert deceased as he does absolutely sweare to as an executor Ought to doe The said Luke hath lost all benefit or advantage of an Executor and is punishable at the discretion of the judge here. But forasmuch as it appeares he hath improved the stock of Cattle and hoggs to a greater number then Robert Cole left at his departure for England and raised a Stock of horses for the Orphants where the Testator left none The said judge doth Order That the Orphants of Robert Cole deceased shall receive the household goods in the Condition they are in the Cattle and hoggs as they are shared to them and the horses to be divided amongst them after the said Luke Gardner hath chosen One mare
 p. 75 and foale by her side which the judge Testamentary doth hereby Order him as the Only reward of his paines and care taken in managing the said Estate And doth further Order him to deteine Out of the Cropp of tobacco now made the ballance of the accompt as it stands rectified and allowed by the said judge vizt eleven hundred eighty three pounds of tobacco together with two thousand five hundred fifty three pounds of tobacco for itinerant charges in twelve years time expended by the said Executor

Which being read & heard it is this day to wit the thirteenth day of October in the 43th yeare of his Lo^{pp}s Dominion &c Anno^o Dom. 1674 considered by the Court here that execution be granted according to the abovesaid Order.

Ccaelius &c To the Sheriff of Somerset County sendeth Greetings Whereas upon the nineteenth day of January 1663 a conditionall warrant for One thousand acres of land issued from the Lieutenant Gen^l unto George Naseworthy of Nansemond in James River in

the Colony of Virginia Gent to lay out the same for him in any part of this province provided he should make good rights for the same within twelve months next ensuing the date of the said Conditionall warrant and in pursuance thereof the said George Naseworthy had one thousand acres of land laid out for him in Manokin River called Naseworthys Choice lying on the South side of Manokin River and whereas the said George Naseworthy never made good rights for the same according to the tenor of the said warrant so granted to him as aforesaid whereby the said Land is become escheated, and for that W^m Thompson Gent without any recitall or mentioning of the said Conditionall warr^t of the said Naseworthy hath by virtue of a patent Surreptitiously Obtained from his Lopp under the Great Seale of the provinse beareing date the first of October in the 40th yeare of his Lopp^s Dominion &c by him or his assigns entered into and upon five hundred acres part of the premisses and whereas also Thomas Jones of his said County Gent by assignm^t of the said Naseworthy hath also procured patent for the said One thousand acres of land formerly surveyed for the said Naseworthy dated the first of October in the 41th yeare of his Lopp^s Dominion &c to his Lopp^s great prejudice and disinherizon of him and his heirs of the premises as it is said and that his Lopp^s may have Speedy right and justice in and concerning the same and that all and Singular the said Letters Patents as well to him the said W^m Thompson as the said letters patents to him the said Thomas Jones so as aforesaid granted may be revoked and adnulled and the said lands into his Lopp^s hands as his right may be seized and the said W^m and Thomas and all the Tenants and Occuypers thereof from the possession may be amoved doe Comand the said Sheriff that by good and lawful men of his Bailiwick he make knowne and give warning to the said W^m Thompson and Thomas Jones and all other the Tenants and Occuypeyers of the said land that they be before his Lopp in his chancery the ninth day of February next to shew cause what for his Lopp or themselves they have or can say wherefore the said letters patents of the aforesaid land or any part or parcel thereof ought not to be revoked and adnulled and the record and records thereof cancelled and made void and the same into his Lopp^s hands be seized and further to doe & receive what the said Court shall doe or grant to be done in this behalfe & that he then returne to his Lopp^s justices how he hath executed this writ Wittnes &c the 30th December in the 43th yeare &c 1674

Att which Said ninth day of ffebruary in the 43th yeare of the Lopp^s Dominion &c the Same Sheriff maketh returne vizt Executed p me Wm. Coleborne before M.^r Nicholas Rice M.^r David Browne M.^r George Johnson M.^r John Winder John King Miles Gray Alexander Drapper good and lawfull men of my Bailiwick Which being read and heard and none appeareing to shew cause wherefore the

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Liber P C said Letters patents of the Land aforesaid ought not to be revoked and adnulled and the record and records thereof cancelled & made void, and the Same into his Lopp's hands be Seized. The judgment of the Court here this day to witt the thirteenth day of ffebruary in the yeare abovesaid is That the Chancellour make void the Said patents upon Record and that the Same be revoked cancelled evacuated adnulled and for void and invalid had and esteemed and also that the inrollment of Record of them Shall be cancelled and adnulled and for void And invalid held and esteemed.

Upon the Petition of Thomas Marsh That in the month of July 1673 he sold unto George Utie Gent a woman Servant named Hannah Bowen for which Servant and other goods Sold the Said Utie was to pay unto the petitioner 2400^l Tobacco that in November or December 1673 the said Hannah happened to be brought to bed of a bastard Child and that after she was delivered by the perswasion of the said Utie (who had promised to her if she would lay the Child to the petitioner he would Save her from a whipping and she Should fare the better for it as by the affidavitt of Michael ffranke and Richard Whitton it may appeare) by her affidavit per'd by the said Utie upon the 22th of December 1673 to lay the Said Bastard Child to the petitioner That the petitioner haveing notice thereof did in March last procure a warrant for Cap^t Howell one of his Lopp's justices of that County to have the Said Hannah bound over to the next Court to be examined face to face with the petition^r Yet notwithstanding the pet.^r attended there at the next Court with evidence Sufficient enough to prove the Child was gott by One Edward Winwood by the confessions of the Said Edward & Hannah & others pregnant circumstances sufficient to cleare the pet.^r and although the Constable Served the Said warrant upon the said Hannah & gave notice to the Said Utie to be there also Yet neither he nor the Said Hannah by his Order did appeare at the Said Court & So nothing was then done That the 3rd of June last the said Utie in the absence of the pet.^r being then in Virginia without any notice to him or any for him brought the Said Hannah to their Court and upon her affidavitt aforesaid and another Oath then taken in Court that the said Utie her master did neither advise instigate or prompt her to lay the said Bastard to the pet.^r the Court without any other testimony confession declaration in pangs of travill or other pregnant circumstances agreeing thereunto as by the Act is directly provided in that case did Ord^r at the requst of One Miles Gibson the p'tended Attorney of the pet.^r a reference untill the next Court Att which Court being the 4th of August last they Ordered the said Miles Gibson as Attorney of the petitioner to pay the said Utie 1400^l of tobacco with costs of suite for the pet.^{rs} getting the said Servant with Child otherwise execution That the pet^r finding himselfe thus

agrieved & not heard petition the Court for a rehearing the which was granted when & where the petitioner produced his severall evidences Sufficient to cleare him as aforesaid as by the coppies thereof ready to be produced may appeare Yet the Court Ordered the former Order to Stand with costs of Suite whereupon the pet^r appealed to this Court but the said appeale was never entered and the said Utie hath detained in his hands the Said debt of 1400lbs of tobacco for his damages and cost as aforesaid. Now forasmuch as it plainly appears there hath been a Conspiracy and contrivance betweene the Said George Utie and the Said Hannah Bowen not only to ruine the petitioner his Creditt and Fortune but defraud him of his said debt of 1400^l tobacco for that the proceedings have been very illegall and erroneous the pet^r therefore humbly prayes to admitt his appeale and that the whole matter thereupon may be heard here next Court and that in the meantime an Order may issue to the Comissioners for a transcript of the Records of their whole proceedings therein and that the Said Hannah Bowen and George Utie may be Ordered then and there to appeare to heare the Said Appeale accordingly

Liber P C

Which being read and heard it is this day to witt eighth of December in the 43th year of his Lo^{pp}s Dominion &c considered by the Court here that a Certiorari be granted the petitioners the tenor whereof followeth in those words vizt.

Cæcilius &c To the Commissioners of Baltimore County Greeting p. 77
Whereas Thomas Marsh late of Our County of Ann Arundell Gent hath been p^rsented in our said Court of Baltimore County before you for certaine trepasses and contempts contrary to the forme of the Act of Assembly against getting of Bastard Children made and enacted within Our Said Province Our Will being for certaine causes that all and singular the presentm^{ts} for whatsoever trespassse and contempts against the Said Act the said Thomas Marsh before you in Our Said Court Standeth p^rsented (as it is Said) Should be determined before Us and not else where Wee doe therefore Comand you and every of you that all and Singular the said p^rsentm^{ts} with the tenor of the Record concerning the Same So fully & intirely as before you the same day was taken by what name soever the Said Thomas be called in the same before Us in Our Chancery to be held the ninth day of ffebruary wheresoever it Shall then be fully and intirely you send and that you make knowne to George Utie and Hannah Bowen that they be & personally appeare before Us on the day and place aforesaid that we may further doe therein as according to Law and equity to Us shall Seeme meet Wittnes Our Selfe &c the 28th of December in the 43th year &c Annoq^{ue} Doñ 1674.

Att which said ninth day of ffebruary the Said Comissioners made no returne of the writ aforesaid therefore it was the 22th

Liber P C day of ffebruary in the yeare aforesaid Comanded them and every of them that all & Singular the said presentments with the tenor of the Record concerning the same So fully & intirely as before them the same was taken by what name Soever the Said Thomas be called in the Same before his Lopp in his Court of Chancery to be held the twentieth day of April then next wheresoever it should then be fully & intirely they send and that they make Knowne to George Utie & Hannah Bowen that they be & personally appeare before his Lopp On the day & place aforesaid.

Which said Court to be holden the said twentieth day of April was by his Loppes writ of Adjournment adjourned untill the fourth day of May then next following at which said fourth day of May the Sheriff of the said County of Baltemore maketh returne of the writt aforesaid endorsed By virtue of this I have Summoned the within named George Utie and Hannah Bowen by Order of the Commissioners of Baltemore County Court

p Samuel Boston Sheriff

This cause Continued untill next Court

Wm Guither agt	} Comp ^{lt} Def. ^{ts}	} Upon the petition of the Com- plainant that he hath severall ma- teriall witnesses to examine in this cause whereof One named William Green lyeing now very dangerously Sicke and weake ready to dye which if he should dye before he were examined in this cause, the petitioner should be much prejudiced. He therefore humbly prayeth a Comission returnable without delay to some person or persons directed to goe to the said W ^m Greene and take his examination to the same interrogatories already exhibitted in the Office.
Thomas Mathews & als		

Now here at this day to witt the 15th day of ffebruary in the 43th yeare of his Loppes Dominion &c the Court here doe Order that Comission issue to Walter Hall according to the tenor of the said petition and Comission then issued accordingly.

Jno Balley agt.	} Comp ^{lt} Def. ^t	} Upon the Audita Querela this day to witt the 9 th of February in the 43 th yeare &c the Sheriff of Dor- chester County returnes endorsed By Virtue of this writ I have taken Raymond Stapelfort whose body I have at the time & place ap- pointed.
Raymond Stapelfort		

This cause continued untill next Court.

p. 78 Cæcilius &c the ninth day of January in the 43th yeare of his Loppes Dominion &c Annoq Doñ 1674 To the Sheriff of Talbott County Sendeth Greeting Whereas it appeares in the Records in the

Secretaries Office remaineing in the said Province of Maryland that John Norwood late of the Said Province Gent the 21th day of November 1663 had surveyed for him One thousand Acres of land lyeing in his Said County On the northside of Choptanche River Beginning at a marked white Oake being the Southermost bound tree of the Land of Jerome White Esq^r & runing from the Said Oake for bredth Southwest three hundred Perches to a point of Marsh at the mouth of the nothermost branch of the River bounded on the West by the Said branch the length of five hundred perches northwest on the north by a line drawne northeast from the end of the northwest line for bredth three hundred perches On the east by a line drawne Southeast from the end of the northeast line to the land of the said Whites One hundred perches and by Whites land to the first marked Oake On the South by the River On the west by the north branch And whereas Wee are informed that the Said parcell of land by Severall wayes and meanes is Sithence become forfeited to Us and that One Edward Roe of his County holds possession thereof without any right or title to entitle him thereunto Wee Comānd the Said Sheriff that by lawfull men of his Bailiwicke he make Knowne to the Said Edward Roe that he be and appeare before Us in Our Court of Chancery the ninth day of ffebruary next wheresoever it Shall then be to Shew cause if any he have why the said parcell of land Ought not to be escheated unto Us and the Said Edward Roe be amoved From the possession thereof & hereof he is not to faile and that he make Knowne to our justices in what manner he execute this writ.

Att which Said ninth day of ffebruary in the yeare aforesaid Came the Said Edward Roe by Robert Carvile his Attorney and Saith that the Said parcell of Land Ought not to be escheated unto the Said Lord proprietary nor the said Edward be amoved from his possession thereof because he Saith that he purchased the Same of John Edmondson of Talbott County merchant who upon the Conditions of plantations obtained patent For the Same under the Great Seale of this province beareing date the eighth of August 1670 as appeares upon Record and the said Edward further Saith that the Said John Norwood in the Said writ of Scire Facias named never legally Surveyed the Said land, nor even made good any rights, nor never had any Conditionall or Other warrant for the same, whereby the said Land being Out of his Lopp^s Mannour and free from any reserve it was lawfull for the Said John Edmondson to Survey and patent the same according to Conditions of plantation, And the Said Edward Roe further Saith that the Said Lord proprietary him from the possession of the said Land will not amove for the reasons aforesaid because he Saith That the Said Lord proprietary by his Letters under his hand and Seale beareing date the eighth day of August

Liber P C 1674 and to his Deare Sonn Charles Calvert his Leiueteñt of Maryland directed doth declare that if the first warrant to Norwood cannot be made good and that Rent for the Said Land have been duly paid then that the Said John Edmondson or his assignes Should quietly enjoy the Said land. And this he is ready to averre and thereupon demands the judgment of this Court if the Said parcell of land ought to be escheated unto the Said Lord proprietary or the Said Edward Roe be amoved from his possession thereof.

Ro: Carvile

This cause continued until next Court.

February 15th 1674

Ordered by the Court here that all business wherein Robert Carvile and Robert Ridgely are concerned in be continued untill next Court.

p. 79 December 14th 1674

Inquisition being made and returned concerning a parcell of land called Lewis Neck or Rice Mannour lately in possession of Leiwteñt William Lewis deceased the judgment of the Court is that the Same is free for his Lo^{pps} to dispose thereof because of nonpayment of the rent reserved.

Inquisition being made and returned concerning what lands Leonard Strong dyed Seized off, the Court will advise thereupon.

Maryland ss Att a Court held for the Chancery and Provinciall Court at the Citty of S^t Maries begun the 4th day of May in the 43th yeare of the Dominion of Cæcilius &c Annoq^{ue} Do^{mini} 1675 and there continued untill the eighth day of the Same month at which Sixth day of May were p^rsent.

The Hon ^{ble}	{	Charles Calvert Leiwteñt Gen ^l l & chiefe judge
		Philip Calvert Esq ^{ue} Chancellour
		W. ^m Calvert Esq ^{ue} Secretary
		Baker Brooke Thomas Truman } Esq ^{ues} .

John Balley ag ^t	{	Co ^m mand was given the Sheriff of S. ^t Maries County
		that he attach James Neale that he have him here the fourth day of May in the yeare aforesaid to answer unto his Lo ^{pp} touching a certaine contempt by him against his Lo ^{pp} Committed as is Supposed for the breach of a certaine decree made here in a cause late depending between John Balley Complainant and the Said James Neale def. ^t and also of all other things which should then & there be Objected against him & farther to doe & receive what This Court should consider of in this behalfe &c.

Now here at this day to wit the Sixth day of May in the yeare
aforesaid came the Said James Neale in his proper person but the
Said John came not and the Said James haveing Sufficiently made
it appeare to the Court here that he hath fully Satisfied and paid the
Said Decree in the cause aforesaid The Court here doe ord^r that the
Said James Neale be discharged from the Decree aforesaid and that
the Complainant Balley pay unto him the summe of
pounds of tobacco costs of suite.

Garrett Vansweringen }
ag^t } May the 8th 1675.
John Quigley }

The Complainant haveing filed his bill against the def.^t w^{ch} bill
being this day read in Court the Complainants Procurat^r moved the
Court for a writ of injunction to Stopp proceedings at Co^mon Law.
The judgment of the Court is that no writ of injunction thereupon be
granted him, and his bill throwne Out.

Then were all causes continued untill next Court.

Tobias Wells Comp^t } The Complainant maketh Oath that upon the
John Wright & Mary } Seventh day of April last past he served the
his wife def^{ts} } def^{ts} with a writ of execution of a certaine
finall Order and Decree issued Out of this Court beareing date the
fourth day of March last past by delivering unto him the said writ
under the seale of this Court which writ was directed to him the said
John Wright and Mary his wife and was for them to pay unto the
said Complainant the summe of fourteen thousand Six hundred p. 80
Sixty Six pounds of tobacco and this depon^t further Saith that he did
at the Same time demand of the Said defend^t the Said Summe of
fourteen thousand Six hundred Sixty Six pounds of tobacco So
Ordered to be paid as aforesaid but he denyed and refused to pay
the same nor hath he yet paid the same to the Said Complainant or
any Other by his Order to this Deponents Knowledge more then the
summe of three & twenty hundred pounds of tobacco or thereabouts.

Sworne the 6th day of May 1675

Before me Philip Calvert.

Attachment then issued against the said John Wright & Mary his
wife dated the 8th of May in the 44th yeare & c r 26th October next.

In Chancery in Maryland Att a Court of Chancery held
at S.^t Maryes the ninth day of December in the second
yeare of the Dominion of Charles Absolute Lord & Pro-
prietary of the Provinces of Maryland & Avalon Lord
Barron of Baltemore &c before the Hon^{ble} Thomas Notley

Liber P C

Esq^r chiefe Judge in Equity, the Hon^{ble} Philip Calvert Esq^r Chancellor, the Hon^{ble} W^m Calvert Esq^r Secretary, the Hon^{ble} Baker Brooke Esq^r Survey.^r Gen.^{tl} & the Hon^{ble} Colonell Henry Coursey Esq^r Betweene Thomas Peighin Master of the Shipp Ruth of London plaintiffe George ffulford of London M^cchant & Edward Leach of the same M^cchant Defend^{ts}

This cause coming upon the seaventh day of this instant Decemb^r to be heard upon Bill & Answer (att the humble request of the plaintiffe who desired the cause might not be delayed nor his Shipp noe longer stayed) in the p^sence of the Comp.^{lt} & his Councell & in the p^sence of the Defend.^t Leach & his Councell (the Defend.^t ffulford being absent in England) the substance of the Comp^{ts} Bill was, That whereas by a certaine Charter party of Affraightment Indented bearing date the Twenty seaventh day of September One Thousand six hundred Seaventy five Betweene the Comp.^{lt} of the one part & the Defend.^t ffulford of the other part the Comp.^{lt} did Grant & lett to ffraight the said Shipp the Ruth of London then riding att Anchor in the River of Thames London unto the said ffulford by the Month for & dureing the full tyme & Space of Eight Months to begin & be Accompted from the Twenty Eighth day of September aforesaid & for & during soe long tyme & Space after the Expiracōn of the said Eight Months not exceeding foure Months more as itt should please the said M^cchant his ffactors or Assgnes to keepe or Imploy the said Shipp att the rate & price of Sixty five p^{ds} Sterling p^r Month accompting Twenty Eight dayes to a Month from the tyme aforesaid And the said Master for himselfe his Exec^{rs} & Assignes did Covenant that the said Shipp should with the first faire winde & weather after the said Twenty Eighth day of Septemb.^r be ready to depart & sett Sayle from Graves End & from thence (the dangers of the Seae & casualties excepted) Sayle apply tarry & trade to Att & from any port or place in Virginia or Maryland or either of them as the said M^cchant his ffacto^{rs} or Assignes should Order & thence being dispatched Should as winde & weather should permitt (casualtyes & dangere of Seas Excepted) Sayle Apply & trade to all & from London Rotterdam Amsterdam or any Ports in the West Country in England Soe as the said Shipp should be Brought back for London in Twelve Months att farthest (casualtyes dangers of Seas & restraint of Princes Excepted) And that itt should be lawfull to & for the said M^cchant his ffactors or Assignes to imploy the Said Shipp & her long boate & Skiffe dureing the said Voyage in & about the Ladeing reladeing & discharging of such Goods & M^cchandizes & in & about such usuall Affaire & busines as the said M^cchant his ffactors or Assignes should thinke fitt & direct And also that the said Master should follow all such lawfull Orders & direcōns as he should

p. 81

from tyme to tyme receive from the said M^cchant his ffactore or Assignes touching the said Voyage And the said M^cchant did thereby amongst other things Agree & Covenant not only to Victuall & man the said Shipp with sufficient Provisions & Sixteen Seamen & a boy besides the said Master & Order the said Shipp to returne for London aforesaid there to end all her Monthly Employment by or before the Expiracōn of twelve Months, but also well & truely pay unto the said Master his Exec.^{rs} and Assignes for the ffreight & hire of the said Shipp dūreing the tyme she should be in the Service of the said M^cchant Sixty five pounds sterling p Month or att the same rate for a lesser tyme then a Month in manner & forme following, that is to say soe much thereof as should be due and payable after the Monthly rate aforesaid att the tyme of the said Shipp's first Arrivall in Virginia or Maryland within tenn dayes next after Certificate or other true notice should come to London of such their Arrivall there, soe much more thereof as should be due and payable after the Monthly rate aforesaid att the tyme of the said Ship's Arrivall att the Port of delivery in Holland within tenn dayes next after such her Arrivall there And the residue att the discharge and returne of the said Shipp in the Port of London with Primage and Avaridge accustomed And that the said M^cchant his Exec.^{rs} ffactor^{rs} or Assignes should pay & Satisfie all Port duties due & payable for the said Shipp dūreing the said Employ^{nt}.¹ And to pay & discharge all Seamens wages which should grow due & payable dūreing the said Voyage, & thereof & therefrom save harmlesse & indemnified the said Master & the said Shipp And the said M^cchant did further agree & Covenant to finde & provide sufficient Sloopes for the fetching of the tobacco in Virginia or Maryland aforesaid for the Lading of the said Shipp att the proper Costs & Charges of the said M^cchant his ffactor^{rs} or Assignes And to the performance of all & every the Covenants Grants Articles Payments Provisoes Condiçōns & Agreements in the said Charter party contained by & on the behalfe of the said M^cchant his ffactor^{rs} or Assignes to be holden observed performed fulfilled and kept in all things he bound himselfe his Ex.^{rs} Adm.^{rs} & Goods unto the said Master his Exec.^{rs} or Assignes in the penall Summe of One Thousand pounds sterling well & truely to be paid by these p^{rs}ents And the Comp.^{ts}:^{1t} further shewed, that he did upon the said Twenty eighth Day of Septemb.^r aforesaid sett Sayle p. 82 with the said Shipp upon the said intended Voyage, but by distresse of weather he was forced to the Island of Barbados to repaire & amend his Shipp aforesaid being much shattered & damaged And the Comp.^{ts}:^{1t} being a Stranger in that place & by reason thereof not able to procure Creditt for the repaying amending & refitting the said Shipp without breaking bulke & Exposing to Sale some of the Goods of the said George ffulford for payment thereof, the Comp.^{ts}:^{1t} did apply himselfe to the Defend.^t Leach ffactor & Consigne of the

Liber P C said George ffulford for his advice and assistance for the payment of the money that should be due for the repaying of the Shipp aforesaid and there upon he the said Edward Leach forbadd the Comp.^{yt} to medle with the Sale of any the said ffulfords Goods, but promised that in case the Comp.^{yt} would Signe & Affirme two bills of Lading he then had ready drawne the one to the said George ffulford & the other to the said Edward Leach for the Goods in the same Shipp to be delivered to the said Edward att the Port in Maryland he would lay out & disburse soe much as the said Shipp should cost repaying as aforesaid Where-upon the Comp.^{yt} was constrained by necessity not withstanding he knew not of any Interest the said Leach had in the said Goods in his owne proper right not being soe much as named in the said Charter party, but all the Goods in the said Shipp were bound to the Comp.^{yt} as security as aforesaid was perswaded & drawne by the said Leach to Signe & Affirme two Bills of Lading as aforesaid And the said Shipp being repayred & refitted to Sea as aforesaid did in short tyme afterwards to witt the third day of May One Thousand six hundred Seaventy six Arrive in the Port of Maryland & immediatly upon her Arrivall he the said Comp.^{yt} att the request of the said Edward Leach caused most part of the said fullfords Goods to be landed and putt a Shoare att the said Leach his Store & was ready to have putt the residue on Shoare & to have used all the Endeavours possibly for relading her with Tobacco for England according to the said Charter party But the Comp.^{yt} & John Westcoate chiefe Mate of the said Shipp & severall other of the Seamen of the said Shipp haveing received certaine Intelligence from London by Letters trat the said George ffulford was broken and gone aside and that a comission of Bankrupt was taken out against him or threatened to be taken out, & that Caution was thereby given to the Comp.^{yt} & Seamen to Secure the hire of the said Shipp & Seamens Wages & the Charge for the Victualls & Port duties either by the Said Goods Imported or by the Tobacco the produce thereof Exported or else they might Expect to receive nothing att the Port of discharge att London from the said fullford And thereupon the said Mate & Seamen came to the Comp.^{yt} to have Satisfaction made
p. 83 them for their Wages till which paid they refused To Assist in the Navigating the said Shipp or to suffer the said Master to deliver the Remainder of the said Goods to Leach being bound as aforesaid The Comp.^{yt} thereupon applyed himselfe to the said Leach, who (as the Comp.^{yt} verily believed) was acquainted with his Employers Condiçon, combining with the said ffulford how to defraud the Comp.^{yt} of the hire of the said Shipp & the Seamens Wages Victualls & Port duties aforesaid which the Comp.^{yt} desired him to pay or secure he the said Edward Leach not only refused soe to doe pretending the same was not yet due or payable but did demand the

said Goods (made over as Security as aforesaid) by vertue of his Bills of Lading soe gained as aforesaid & Comanded the Comp:^{ts} with the said Shipp & Seamen to Sayle to the Port of London without Shipping one pound of tobacco on her but to lett her goe empty Which the said Seamen understanding and that if the said Master parted with the said Goods (security as aforesaid) they would have their pay Secured out of the said Shipp furniture & tackle till which done they refused to Sayle And thereupon the said Edward Leach takinge advantage thereof did not only drawe a Protest against the Comp:^{ts} but hath brought three severall Accōns against the Comp:^{ts} one for breach of the said Charter party & the other two on the said two Bills of Ladeing & proceeds with all violence therein intending as much as in him lyes to ruine the Comp:^{ts} contrary to Equity Therefore & for as much as matters of this nature are only proper for a Court of Equity the Comp:^{ts} in stricknes of Lawe being not able to Inforce paym:^t for the hire of the said Shipp till the Certificate returned as aforesaid & to have security for the same & to indemnifie the Comp:^{ts} said Shipp from the Seamens Wages aforesaid, and for that there is an apparent fraud in the said ffulford & Leach to defeat the Comp:^{ts} & others his owners of the hire of the said Shipp by sending her home empty yett Sueing for the said Goods (which are as security as aforesaid) against which fraud he humbly craved the aid & assistance of this Hon^{ble} Court & that the said ffulford & Leach might answer the p^rmisses & be Ordered to pay or Indemnifie the Comp:^{ts} & Shipp from the said Seamens Wages & from Port duties paid & to be paid & pay & Secure the pay for the Victualling of the said Shipp, & pay or secure the pay for the hire of the said Shipp by & out of the Goods Shipped on board the said Shipp, & that the Goods remaining in the said Shipp may be Appraised & Sold for paym.^t of the same accordingly & that the said Suites might be stayed by Injunction & the Comp:^{ts} releived according to Equity was the scope of the plaintiffes Bill whereunto the Defend.^t Edward Leach (the other Defend.^t being absent in England) being duely served with process for that purpose appeared & answered the said Comp:^{ts} bill, & thereby (amongst other things) did Sett forth that he believed there was such a Charter party betweene the Comp:^{ts} & ffulford & that the Comp:^{ts} sett Sayle & was forced into Barbadoes to refitt & Amend but beleived itt was through the negligence Of the Master & Seamen That being att the Barbados & the Comp:^{ts} well knowing the Defend.^t to be the ffactor & Assignee of the other Defend.^t ffulford, and that the Goods in the said Shipp were consigned to the Defend.^t Leach, and that the Comp:^{ts} was to observe his orders & direcōns touching the Goods in the said Shipp & alsoe for the stay or returne of the said Shipp according to Charter party, he the Comp:^{ts} did apply himselfe to the said Leach for his assistance

Liber P C in repairing the said Shipp, and the Defend.^t att the Comp.^{ts} instance & request of the Comp.^{it} did Sell of the Goods out of the said Shipp to the Value of about One hundred & fifty pounds sterling which he paid to the Comp.^{it} & his Order for repairing & fitting the said Shipp which was agreed to be in part of the hire of the said Shipp And the Defend.^t said that one of the Bills of Ladeing in the Bill menconed given att Barbados was for the proper Goods of the Defend.^t Leach Shipped att London & marked with this Defend.^{ts} proper marke, & the other for the proper Goods of the Defend.^t ffulford And that on or about the third day of May One Thousand six hundred Seaventy six the said Shipp did Arrive in this Province of Maryland, & that soone after some part of the Goods of the other Defend.^t ffulford was by the Order of this Defend.^t delivered out of the said Shipp by part of the said Goods to the Value of One Thousand pounds sterling were left in the said Shipp although the Defend.^t as ffactor & Assignee of the said ffulford Ordered the Comp.^{it} to deliever them & to Sayle with the said Shipp for the Port of London, yet the Comp.^{it} refuses to doe the same contrary to the said Charter party And the Def.^t further said, that by the said Charter party there was not att the Shipp's Arrivall in this Province nor att this tyme any thing to be paid for the hire of the said Shipp according to the said Charterpty without a Certificate or other true notice att London of the said Shipp's Arrivall here, and if due & payable itt was not intended to be paid in this Province but in England where money may be had for the doeing thereof And he further said he knew not of any Statute of Bankrupt Sued out or intended to be Sued out agst the other Defend.^t ffulford as was suggested in the Bill nor had he any Letters to that purpose but said that he had received letters that the said ffulford was ready to pay the just hire of the said Shipp & what was otherwise due, the Comp.^{it} fullfilling the said Charter party And the Defend.^t further said that when he Ordered the Comp.^{it} to Sayle for London he Offered the Seamen security for their Wages here if itt were not paid att their arrivall in London And the Defend.^t denied that by Letters he was privy or Acquainted with the said ffulfords Condiçion as in the Bill, & denied Combi-naçon with him, & he humbly conceived that he was not compellable either in Lawe or Equity to secure the hire of the said Shipp itt being payable in England & not yet there demanded & denied, and alsoe the Seamens Wages And the Defend.^t further said that he had paid all Port Dutyes for the said Ship of him hitherto demanded, and that the said Shipp was Victualled in England by Order of the said ffulford, And the Comp.^{it} noe wayes Engaged for the same

p. 85 as this Defend.^t was informed And the Defend.^t humbly conceived that noe part of the said Goods belonging to the said ffulford ought to be detained by the Comp.^{it} without itt had appeared the Said ffulford had broke the Charter party And that the Defend.^t ought

not to be stopped by an Injunction upon a bare surmise of ffulford being a Bankrupt And for that the Comp.^{ts} had remedy by the comon Lawe if the Charter party were broken, this Defend.^t humbly conceived the Comp.^{ts} ought not to trouble hinder & molest him with a Vexatious Suite in this Court, & with the generall Traverse he concluded his Answer as by the said Bill and Answer remaining of Record in the Secretarys Office more fully & att large the same doth & may appeare And the said cause soe standing att Issue upon Bill & Answer the Comp.^{ts} Councell moved this Court that this cause might come to hearing on Bill & Answer to the end the matter being betweene a Master of Shipp & his M^cchant, and the Shipp haveing stayed a long tyme in the Country they might not be any further delayed, and the same being usuall practice in Equity, this Court upon the said seaventh day of Decemb^r aforesaid proceeded to the hearing of the said cause On which day itt was urged by the Comp.^{ts} Councell that the said ffulford was failed in his Creditt att the tyme of the Exhibiting of the Comp.^{ts} Bill & that on a Certificate of the Arrivalls of the said Shipp in this Province demand had been made att ffulfords house or last dwelling place of aboade & there was none to pay the same nor was there any hopes of ever getting any satisfacōn for the hire of the said Shipp Seamens Wages Victualling the said Shipp or Port Dutyes from ffulford in England or otherwise then by securing the same by the said Goods soe Shipped as aforesaid & which were their only security for the same as aforesaid or out of the proceed or produce thereof And for proove of their Allegacōns aforesaid they humbly offered to the Consideracōn of this Court an Instrument & Certificate of seaverall Affidavits taken in the City of London before the Lord Mayer thereof under the Citty Seale which followes in these words To all that shall see these p^rsents or heard them to be read S.^r Joseph Sheldon Kn.^t Lord Mayor & the Aldermen or Senators of the Citty of London send Greeting Know ye that on the day of the date hereof in the Kings Majesties Court holden before us in the Chamber of the Guild hall of the said Citty personally came & appeared the severall Deponents hereafter named being persons well knowne & worthy of good faith & Creditt & did by their solempne Oath which they severally tooke upon the Holy Evangelists of Almighty God before us then & there solemnly declare testifie & depose for certaine & undoubted truth in manner & forme as in their severall Deposicōns remaining upon Record in the Court aforesaid is att large contained the tenor whereof truly followeth Videlicet Edward Allen of London Scrivener aged Thirty one yeares or thereabout & Robert Barton of London Notary publick aged Twenty Eight yeares or thereabouts Sworne & Examined Depose & Say joynly & severally upon their Corporall Oaths As followeth And first the said Edward Allen by & for himselfe saith & deposeth, that he was p^rsent & did see George ffulford

Liber P C

Liber P C of London M^cchant Signe Seale & deliver as his Act & Deed to the use of Thomas Peighin Marriner the Writing in Parchment Indented now produced in Court & Showne unto him faire and uncanceled purporting a Charter party of Affreightment made betwene the said Thomas Peighin Mariner & Master of the Good Shipp or Vessel called the Ruth of London burthen two hundred tonns or thereabouts then rideing att Anchor in the River of Thames London of the one part And the Said George ffulford of London M^cchant of the other part bearing date the seaven & Twentieth day of September One Thousand six hundred Seaventy five to which this Depon^t hath Endorsed his name as a Wittness as thereby may appeare And the said Depon^t Robert Barton by & for himselfe saith & deposeth, that the said George ffulford absented himselfe from the Royall Exchange London about the beginning of November last, & hath never since appeared thereon as this Depon.^t knoweth or hath ever heard And that itt was then discoursed by the M^cchants & others that he the said ffulford was failed in his Creditt And this Depon.^t further saith that there was severall Bills of Exchange accepted by the said ffulford which were afterwards by him this Depon.^t & other Notaries protested for want of better security & att tyme due for want of payment And these Deponents Edward Allen & Robert Barton doe further joyntly say & depose, that on the tenth instant M.^r Thomas Dade of London M^cchant one of the owners of the said Shipp Ruth doe goe (accompanied with these Depon.^{ts}) to the late dwelling house of the said George ffulford, sictuate in Princes street & there (in regard he could not learne where the said ffulford now lives) did demand the ffreight payable tenn dayes after advice or notice that the Shipp was arrived att Virginia, which the said Dade then shewing to these Deponents declared he received the seaventh of June last (as itt appears by the Post house marke & his the said Dades annotacones upon itt) and there being a man Servant in the said ffulfords late house answered the said Dade (upon his demanding the said ffreight to be paid as aforesaid) that the said ffulford & his whole ffamily were gone from thence, & did not know where he the said ffulford was to be found, & that itt was discoursed amongst the Neighbourhood that he was broke Nathaniel Wood of the parish of S.^t Mary Abchurch London Cooper aged Thirty three years or thereabouts Sworne & Examined att the instance & request of Thomas Dade of London M^cchant deposeth & saith upon his Corporall Oath, that there was Sold by the said Requestant Dade on or about the ninth Of October last past to Cap.^t George ffulford of London M^cchant & by his Order laden att this Port of London board the Shipp called the Ruth of London Thomas Peighin Master two Punchones of Brandy containing two hundred Thirty foure Gallons after the rate of forty foure pounds tenn shillings p Tonn which amounted to forty one pounds six shillings & foure pence

And that there was alsoe disbursed & laid out by the said Dade upon Accompt of the said ffulford in Charges for Shipping & Cooperage of the said brandy the Sume of One pound Eight shillings & six pence in all amounting to forty two pounds seventeen shillings & tenn pence And this Depon:^t further saith That he this Depon.^t by Order of the said Dade did severall tymes goe to the said ffulford & demanded of him payment of the said forty two pounds seventeen shillings & tenn pence for the said Requestant Dades use which the said ffulford or any body for him did not pay And this Depon.^t verily beleiveth that the same nor any part thereof is not yet paid by the said ffulford to the said Requestant Dade In faith & Testimony whereof wee the said Lord Mayor & Aldermen the Seale of the office of Mayoraltie of the said City of London to these p'sents have caused to be putt & appended And a Coppy of the aforesaid Charter party & alsoe a Procuracon or letter of Attorney Signed and Attested by the said Robert Barton of London Notary publick to be hereunto annexed Dated in London the twelfth day of August Anno Dom One Thousand six hundred Seaventy six & in the Eight & Twentieth yeare of the Reigne of our Sovereigne Lord Charles the second by the grace of God King of England &c Wagstaffe as by the said Instrument entred upon Record in the Secretaries Office may more att large Appeare This Court thereupon and upon reading the Comp^{ts} Bill & the Defend^{ts} Answer & the said Instrument & Certificate under the said Citty Seale and heareing what was or could be Alleadged by the parties or their Councell on either side & considering the same to be of great waight & concerne tooke tyme to consider & advise about the p'mises till this p'sent day att which day the parties p:^{ts} & Defend.^t & their Councell being p'sent the Court proceeded to give their finall Order & Decree herein & did declare that they haveing seriously perused the Plaintiffs Bill & the Defend.^{ts} Answer & the Certificate of the Lord Mayor of the Citty of London together with the Oath & Attestacon of Robert Barton of the said Citty Notary publick & the Oaths of Edward Allen & Nathaniel Wood as aforesaid were fully satisfied that the said ffulford was broken & had absented himself from the Exchange of London & was departed from his Ordinary dwelling place of Aboade where The said ffreight of the said Shipp was in due manner demanded & not paid as aforesaid And that the said Master & Seamen had no other wages or means to secure the pay for the hire of the said Shipp, the Seamens Wages for Victualling of the said Shipp & Port Dutyes then by the Goods Shipped on board the said Shipp & the produce thereof And they were fully satisfied the said Goods soe Shipped were by Charter party aforesaid to be security for the matters aforesaid & out of them the same ought to be paid & Satisfied, doth therefore thinke fitt & soe Order & Decree that the said Edward Leach ffactor for the said ffulford doe forthwith out of the

Liber P C

p. 88

Liber P C Goods Shipped upon the said Shipp the Ruth of London in the Port of London aforesaid according to the said Charter party pay the Seamens Wages due for their service in the said Shipp Ruth for twelve Months amounting in the whole to the Sume of foure hundred fifty Seaven pounds sixteen shillings sterling as by a particular Schedule hereunto annexed may appeare Together with the Charge of the Port Dutyes of the said Shipp & Victualls of the said Shipp for the said twelve Monthes according to Charterparty And further out of the Goods aforesaid shall pay unto the said Thomas Peighin the Comp^{lt} Master of the said Shipp the Sume of Six hundred and Thirty pounds sterling remaining due for twelve Months hire of the said Shipp att the rate of Sixty five pounds sterling p Month according to Charterparty as yett unpaid which with twelve pounds sterling Costs taxed by this Court amounts in the whole to the Sume of six hundred forty two pounds sterling besides the Port Dutyes

Philip Calvert

	£	s	d
Thomas Peighin M. ^r att 7 [£] p Month 12 Months is	84	00	00
Jn. ^o Westcoate Mate att 5 [£] p Month is	60	00	00
Nath ^l Bufin youngest Mate att 3 [£] p Month is	36	00	00
Edmond Coppin Boatswaine att 40. ^s p Month	24	00	00
Jn. ^o Bennet Gunner att 35. ^s p Month	21	00	00
Henry Dunn Carpenter att 3 [£] p Month	36	00	00
Jn. ^o Kirby Carpenters Mate att 40. ^s p Month	24	00	00
Tho: Atkins Cooke att 30. ^s p Month	18	00	00
Tho: Bonnett Cooper att 30. ^s p Month	18	00	00
Richard Leavens Seaman att 26. ^s p Month	15	12	00
W ^m Harrison Seaman att 26. ^s p Month	15	12	00
Tho: Covert Seaman ditto	15	12	00
W ^m Hutchinson Seaman ditto	15	12	00
ffrancis Hutton ditto	15	12	00
Tho: Marshall ditto	15	12	00
Geo: Johnson ditto	15	12	00
Jn. ^o Courtney ditto	15	12	00
Geo: Grainge Cabin boy att 20. ^s p Month	12	00	00
	457	16	0

Ro: Carvile p quer

p. 89 In the Chancery } Whereas heretofore that is to Say in May Court in Maryland } the year of our Lord one thousand Six hundred Seaventy five Edward Skidmore of the County of Cæcill did Exhibit his certaine bill of Complaint in the high and Hon^{ble} Court of Chancery Against Richard ffoxon Sonn & heyre of Richard ffoxon

William Chadborne & Susanna his wife thereby Setting forth that the Comp^t Edward Skidmore the last day of June in the one and fortieth yeare of the Dominion of Cæcilius &c Annœq Doñi One thousand Six hundred Seaventy one for and in Considercon of Eight thousand pounds of tobacco to Richard ffoxon of the County of Baltimore within this province a planter paid & secured to be paid the Said ffoxon did Assigne Sell and make over to the Comp^t one hundred Seaventy five Acres of land lyeing in the Said County called Bluntvile lyeing on the Eastside of Chessepiake Bay next Adjoyning to the land of William Hills Southermost bounded wallnutt tree running South and by West downe the Bay for Breadth Eighty five Perches to a Marked Cedar tree bounded on the South by A line drawne East from the Said Cedar for length three hundred twenty Perches, On the East by A line drawne North from the End of the East line for breadth fifty five Perches untill it intersects A parralell drawne from the land of William Hills On the North with the Said land & parralell On the West with the Said Bay Containing and laid out for one hundred Seaventy five Acres more or lesse formerly Granted unto Richard Blunt of the Same County by Patent under the Greate Seale of this province And Sold by the Said Blunt unto Nathaniell Styles & by the Said Styles Sold unto William Stanley & by the Said Stanley Sold unto the Said Richard ffoxon As appeares upon Record in the Said County of Baltimore Together with all & Singular the houses Edifices wayes Easements & Priveledges to the Said parcell of land belonging or any wayes apperteyning Only the Said ffoxon to remaine upon the Said land untill the first of March one thousand Six hundred Seaventy two And then to give th^e Comp^t A Sufficient Sale & assurance of the Same And the Comp^t further setteth forth that the Said Richard ffoxon about the month of December one thousand Six hundred Seaventy one dyed before he had given the Comp^t any Assurance of the Said land And made noe will leaving behind him Richard ffoxon his sonn an Infant of very tender Yeares and Susanna ffoxon his wife to whom Administracon of all and Singular the Goods Chatels of Creditts of the Said Richard was by the Cheife Judge for Probate of Wills & Granting Administracon Comitted who hath Since Intermarried with one William Chadborne And the Said William ffoxon being an Infant as aforesaid and the Said William Chadborne & Susanna his wife Relict of the Said Richard deceased not haveing Right to Convey the Said land to the Complainant And the Comp^t having noe bond under the hand & Seale of the Said Richard Deceased for th^e Conveying the Said Land to the Comp^t And Since his witnesses to the Same bargain may dye before the Said Richard ffoxon heyres may arrive to full Age to Convey & Secure the Said land to the Comp^t And in regard that the Comp^t hath paid & Secured to be paid the whole purchase

Liber P C

Liber P C money of the Said land as the Comp^{lt} is ready to make appeare And
 p. 90 the said William Chadborne & Susanna his wife Relict of the Said
 Richard as yett Keepe Possession of the Said land The Comp^{lt}
 humbly prayeth that the Said Court would Decree the heire or
 heyres of the Said ffoxon to sufficiently Convey the Same to the
 Comp^{lt} & his heyers forever And the Said William Chadborne &
 Susanna his wife to deliver upp Possession of the premises & Every
 part thereof unto the Comp^{lt} as by the Said Bill remaining of Record
 in the Secretary's office rela^{on} being thereunto had doth now at
 large Appere And this Cause Soe Standing dayes were given by
 the Court untill this day to witt the twelveth day of Aprill One
 thousand Six hundred seaventy six to the defend^{ts} to putt in there
 Answer to the Bill aforesaid But the Said Defend^{ts} nor any of them
 any Answer thereunto have not putt in although the procurator for
 the defend^{ts} was then p^sent Whereupon the Comp^{lt} prayeth as
 before he hath prayed Whereupon it is Ordered by the Court y^t
 the Said Bill be taken p^y Confesso And doe Order & Decree that th^e
 heyre or heyres of the Said ffoxon deceased when he or they shall
 arrive to lawfull Age shall Convey & Assure the lands & p^rmisses
 to the Comp^{lt} his heires & Assignes forever And that in the meane
 time the Said William Chadborne and Susanna his wife deliver upp
 possession of the p^rmisses to th^e Comp^{lt} Skidmore

Lett this be Enrolled

Thomas Notley

Charles County ss By Vertue of A Comission directed to Us
 John Stone & Thomas Hussey Gentlemen These are in the name of
 the Right Hon^{ble} the Lord Proprietary to Will & Require you to
 Su^mons Twelve good & lawfull men of yo^r Balywick to make theire
 personall appearances att the house of M^r John ffaⁿing at Nanjemy
 on the Eighth day of June There to Enquire of the Yearly Vallue
 of Three tracts of land That did foemerly belong to John Hitchin-
 son late of this County deceased The one Called Woodberryes har-
 bour Containing Three hundred Acres & Hitchinsons hope Contain-
 ing Two Hundred Acres the Other Called Wicksall Containing Two
 hundred Acres And in soe doing this shall be yo^r warrant Given
 under Our hands & County Seale this Second day of June in the
 ffirst Yeare of the Dominion of Charles &c Anno^q Domⁱ 1676.

Jn:^o Stone : Thomas Hussey Sealed

To M^r Benjamin Rozer Sheriffe
 or his Deputy

On The Backside of th^e above warr^t was Written (viz^t) By
 Vertue of this writt I have Sumoned twelve legall & honest men of
 my Balywick whose names are here inserted as Witness my hand
 this Eighth of June 1676
 Benjamin Rozer sheriff

Charles County ss An Inquisition Indented & taken at Nanjemý Liber P C
 this Eighth day of June in the first year of the Dominion of
 Charles Absolute Lord & Proprietary of the Provinces of Mary-
 land & Avalon Lord Barron of Baltemore &c And in the Yeare of
 Our Lord One thousand Six hundred Seaventy Six before John
 Stone & Thomas Hussey Gentl By Vertue of A Comission in the
 nature of A writt of Mandamus to them directed and to this Inquisi-
 tion Annexed to Enquire of the Yearly Value of three Tracts of
 land that did belong to John Hutchinson late of this County De-
 ceased The one Called Woodbury harbour Lyeing att Nanjemý
 in the County Aforesaid Containing Three hundred Acres &
 Two hundred Acres called Hitchinsons hope lyeing att Nanjemý
 aforesaid & Two hundred Acres Lyeing at Chingoe-Muxon Called
 Wicksall by the Oathes of Henry Aspenall Abraham Sapcoate
 Richard Vaughan Richard Waye David Towell Christopher Breames
 William Marritt Christopher Warner Robert Thomson Edward
 Abbot Bartholemew Vacansine William Vosse which Jurors upon
 their Oathes as they humbly Conceive That that Tract of Land
 Called Woodberrys harbour Lyeing att Nanjemý Containing Three
 hundred Acres is worth by the yeare Sixty pounds of tobacco &
 Hitchinsons hope Lyeing att Nanjemý aforesaid Containing Two
 hundred Acres to be worth forty pounds of tobacco p Annum &
 Wicksall Lyeing att Chingoe muxon Containing Two hundred Acres
 is worth fifty pounds of tobacco p Annum In Testimony whereof
 as well the Comissioners as the Jurors afore^{sd} have hereunto sett
 their hands & Seales the day & Yeare above written

p. 91

John Stone Sealed

Tho: Hussey Sealed

Signe

Signe

Henry Aspinall **HA** Sealed

Abraham Sapcoate Sealed

Signe

Richard Vaughan **R** Sealed

Richard Waye Sealed

Signe

David **MO** Towell Sealed

Christopher **⚡** Breames Sealed

Signe

William **⌘** Marritt Sealed

Christopher Warner Sealed

Robert Thomson Sealed

Edward Abbott Sealed

Bartholomy de Vaconsaine Sealed

William Vosse Sealed

Which being Read & heard it is the Judgement of the Court here
 the first day of December one thousand Six hundred Seaventy Six
 that the land in this Inquisition named is Escheated to his Lordshipp
 the Lord Proprietary for want of heire

Whereas by vertue of A writt of Mandamus to us directed Henry
 Adams & Ignatius Causeen from the Right Hon^{ble} Charles Lord &
 Proprietary of the Provinces of Maryland & Avalon Lord Barron
 of Baltemore &c These are therefore in the name of the Right Hon^{ble}

Liber P C the Lord Proprietary to Will & Comānd you that you Sumōns
 Twelve good & lawfull men of Charles County by whom the truth
 of the matter may be better Knowne & Enquired of what Lands
 George Robinson Sonne of William Robinson dyed Seized of att the
 time of his death to Meete att the Plantation formerly M^r Samuell
 Cresses on the twenty fourth day of this p^rsent month of August
 And for yo^r Soe doing this shall be yo^r warrant Given under our
 hands & Seales this Ninth day of August One Thousand Six hundred
 Seaventy Six Henry Adams Sealed
 To the Sheriffe of Charles Ignatius Causin Sealed
 County

On the Backside of the Above warrant was thus written (viz^t)
 August the twenty fourth One thousand Six hundred Seaventy Six
 The Pannell of the Jury Sumōned to Enquire of what lands George
 Robinson Sonn of William Robinson dyed Seized of att the time
 of his death

Benj:^a Rozer Sheriffe

Robert Robins	Thomas Helgar	ffrancis Adams
fforeman	Archbald Waughob	John Butcher
John Wheeler	Jacob Peterson	Tho: Jenkins
Tho: Baker	Robert Castleton	Zachariah Haynes
Alexander Smith		

An Inquisition Indented & taken att the house of Samuel Cressey
 late of Charles County deceased who married the Relict of William
 Robinson late of the afore^{sd} County deceased neare the mouth of
 Port tobacco Creeke in the County of Charles this twenty fourth day
 of August in the ffirst yeare of the Dominion of Charles Absolute
 Lord & Proprietary of the Provinces of Maryland & Avalon Lord
 Barron of Baltemore &c And the yeare of Our Lord One thousand
 Six hundred Seaventy Six Before Henry Adams & Ignatius Causin
 Gentlemen by Vertue of A Comission to them directed in the nature
 of A writt of Mandamus and to this Inquisition Annexed to En-
 quire of what Lands George Robinson Sonn of William Robinson
 deceased dyed Seized of as of ffee in Charles County by the Oathes
 of Robert Robins John Wheeler Thomas Baker Alexander Smith
 Thomas Helgar Archbald Waughob Jacob Peterson Robert Castle-
 ton ffrancis Adams John Butcher Thomas Jenkins & Zacharias
 Haynes which Jurors upon theire Oaths Say that George Robinson
 sonn of Will^m Robinson Late of Charles County deceased Dyed
 Seized of att the tyme of his death as of ffee in the County of
 Charles of A tract of Land Lyeing in Charles County afore^{sd} on
 Potomack River side neare the mouth of Port tobacco Creeke Con-
 taining by Estimacon One hundred & fifty Acres & noe Other heyre

of William Robinson deceased can wee find according to best Lib^r P C
 informaon wee can gett Butt of whatt Manno^r & under what Rents
 & services the Said land is held Wee Jurors are altogether Ignorant
 and further Wee Jurors as Wee humbly Conceive that the said
 One hundred and fifty Acres of Land are of Vallue by the Yeare in
 all Issues four hundred pounds of tobacco And further Wee Jurors
 upon our Oathes Say that the Said George Robinson Sonn of Wil-
 liam Robinson dyed (Viz^t) on the twenty Sixth day of January
 Anno Domi One Thousand Six hundred Seaventy five And that he
 dyed Seized of the said Tract of Land as of fee in the County of
 Charles without any heyre or Will And further Wee Jurors find
 that the Said Land Since the death of the Said George Robinson
 sonn of William Robinson Was in the possession of Samuell Cressey
 who marryed the Relict of the said William Robinson One day And
 Since the decease of the said Samuell Cressey the said land hath
 bene in the possession of Richard Edelen Exec^r of the Said Samuell
 Cressey deceased In witnes whereof as well the Comissioners the
 Jurors Afore^{sd} have hereunto sett their hands & Seales the day &
 yeare first Above written

Henry Adams Sealed
 Ignatius Causin Sealed

Robert Robins	Sealed	Signe	
th ^e marke of		Jacob JP Peterson	Sealed
John EW Wheeler	Sealed	Robert RJ Castleton	Sealed
Signe		ffrancis Adams	Sealed
Thomas T Baker	Sealed	Signe	
Signe		Jn ^o B Butcher	Sealed
Alexander WW Smith	Sealed	Thomas Jenkins	Sealed
Thomas Helgar	Sealed	Zacharey Haynes	Sealed
Archbald M Waughob	Sealed		

Which being Read & heard it is the Judgment of the Court here
 the Nine & Twentieth day of November One Thousand Six hundred
 seaventy Six that the Land in this Inquisition named is Escheated
 to his Lordshipp the Lord Proprietary for want of heyre

Wee whose names are here under written being A Jury of Enquiry
 of A parcell of land Lyeing on the North side of Sassafrax River
 where the Court house now Stands who is the Right owners thereof
 & how much the Same Containes & who Ever was posset of the
 Same & by what title & how & in what manner they had held & En-
 joyed the Same The Inquisition of which wee here returne our Pro-
 ceedings. That is this parcell of land was taken up by ffrancis Smith
 And soe Sould to John Browne of New England & Sould to the Said
 Browne to Marquis Seaverton A Sweed & Sould from the said
 Seaverson to Peter Jacobson A Sweed who dyed & left itt to his sonn


Liber P C Jeffrey Peterson who held itt after the deace of his ffather onely by this note hereunder written being the true Coppy which is all the Title he held the Said Land by

Know all men by these p^rsents that I John Browne of New England Marriner have Sold & delivered unto Markas Seaverson the fifty Acres of land Lying on the point on the North side of Sassafrax River bounding On the Creeke of Burlies Land on the One side & on Coofings Creeke On the Other side Called by the name of Youngs
 p. 93 Neck with all the priviledges belonging to it for him to possesse his heyres or Exec^{ts} from me my heyres Exec^{ts} or Adm^{rs} for Ever Soe I doe deliver over my whole Right & Title having paid all Charges for the Pattent & Rent to this p^rsent Yeare as witnes my hand this first of ffeb^ry One Thousand Six hundred Sixty Three
 Testes John Browne

Elias Stileman Timothy Worcester

As for the Just quantity of the land we find by the Deputy Survey^r Joseph Chews Survey on the Two & Twentyeth of November One Thousand Six hundred Seaventy Six in the p^rsence of Us here under written to be about Eighty Acres Cæcill County Court Land

Augustine Herman Sealed
 John : Sibrey Sealed

Abraham Wilde	Sealed	Richard R L Leake	Sealed
W. ^m Wrayth	Sealed	his marke	
Roger Lademer	Sealed	Andrew A Popleson	Sealed
John James	Sealed	his x marke	
Edward Beck	Sealed	John G ^r Gibes	Sealed
Arthur Carlton	Sealed	his marke	
George Warner	Sealed	Walter W M Meake	Sealed
the mark of		his x Marke	
		Mounte  Anderson	Sealed

Which being Read & heard it is the Judgment of the Court here the Nine & Twentyeth of November One Thousand Six hundred Seaventy Six that the Land above Specified belongeth to his LordShipp the Lord Proprietary

By Vertue of A writt of Mandamus to Us John Boules John Douglass & Robert Doyme or any Two of Us Directed from the Right Hon^{ble} the Lord Prop^y of this Province Wee Comānd You that you Cause Twelve Good and lawfull men of yo^r Balywick to Come before us att the house of M^{rs} Bridget Legatt Widdow in Charles County On Saturday next being the Two & Twentyeth day of May Then & There diligently to Enquire what lands John Legatt late of Charles County Aforesaid Dyed Seized of att the

time of his death as of ffee in the said County & of what Manno^r & Liber P C
under what Rents or services & how much those Lands & Tenements
are of Vallue by the Year in all Issues and att what time the said
John Legatt dyed & who is his next heyre & att what Age the heyre
is & who those lands & Tenements from the time of the death of the
said John Legatt have or doe Occupy & the Issues or profitts hath or
doth receive & by what Title & how & in what manner & who hath
payd the Rent for the same & to whom & the Inquisition thereof
distinctly & Openly made before Us And for yo^r Soe Doeing this
shall be yo^r sufficient Warrant Given under Our hands & seales this
Nineteenth day of May One Thousand Six hundred Seaventy five

To the High Sheriffe of Charles
County or his Deputy

John Douglas Sealed
Robert Doyne Sealed

On the Back side of the Above warr^t was written (viz^t) By
Vertue of the within mentioned Order Signed by M^r John Douglas
& M^r Robert Doyne & directed to the Sheriffe of Charles County I
have Impannelled A Jury of Twelve lawfull & honest men of my
Balywick whose Names are here underwritten Witnes my hand this
Two and Twentieth day of May One Thousand Six hundred
Seaventy five

Benj^a Rozer Sheriffe

Thomas Lomax	Walter Davies	John Newton
Richard Ambrose	William Hinsey	John fearson
Samuell Clarke	James Tyre	Thomas Clipson
Robert Rowland	Thomas Wakefeild	John Brookes





An Inquisition Indented att the house of M^{rs} Bridget Legatt Wid- p. 94
dow in Charles County this Two & Twentieth day of May in the
yeare of our Lord One Thousand Six hundred Seaventy five & in
the forty third yeare of the Dominion of Cæcilius &c before Us
John Douglas & Robert Doyne by Vertue of a Comission in the
nature of A writt of Mandamus to us directed & to the Said Inquisi-
tion Annexed to Enquire what Lands John Legatt late of Charles
County aforesaid Dyed seized of att the time of his Death as of
ffee in the said County & of what Manno^r & under what Rents or
services & how much those lands & Tenements are of Value by the
Yeare in all Issues & att what time the said John Legatt Dyed & who
is his next heyre & of what Age the heyre is & who those lands &
Tenements from the time of the death of the said John Legatt have
or doth Occupy & the Issues or profitt hath or doth Receive & by
what Title & how & in what manner & who hath payd the Rent for
the same & to whom as in the Mandamus By the Oathes of Thomas
Lomax Richard Ambrose Samuell Clarke Robert Roelants Walter
Davies William Hinsey James Tyre Thomas Wakefeild John New-

Liber P C ton John ffearson Thomas Clipsham & John Brookes The Jury Impannelled by the Sheriffe of Charles County doe upon theire oathes Say as followeth: That William Smoote being Seized in his Deemeasne as of free of & in A parcell of Land lying on the West side of Wicocomico River Beginning at A Marked Oake the bound Tree of John Hatches Land & bounding on the East with A line drawne North & by West from the said Oake for the length of Two hundred Perches to an Oake Standing neare the land of John Courts On the North with A line drawne West & by South from the End of the former line for the Length of Three hundred & Twenty Perches to A Marked Redd Oake Standing upon the head of the Branch Called Smooth Branch till it intersect A Parallel line drawne from the said Hatches Oake on the South with the said Paralell Conteyning & now laid Out for Four hundred Acres be it more or lesse By Vertue of A Grant under the Great Seale of this Province to him thereof Granted bearing date the Twenty Sixth day of Jan^{ry} in the Yeare of Our Lord One Thousand Six hundred fifty Two To be holden of his Lord^{shipp} the Lord Prop^{ty} as of his Man^{or} of West S^t Maryes under the yearly Rent of Eight shillings Sterling p^{er} Annum he the said William Smoote did upon the Twentyeth day of May One Thousand Six hundred fifty six Assigne all his Right in the Premises unto Humfrey Atwicks & Richard Smoote which Assignment was in Open Court in Charles County aforesaid Acknowledged by the said William Smoote & Grace his wife & the said Richard Smoote did upon the Eighth day of Jan^{ry} One Thousand Six hundred fifty Six his Right & Title of the within Mentioned Patten unto Thomas Mitchell & his Assignes And the said Thomas Mitchell upon the Third day of May One Thousand Six hundred fifty Nine did make Over from him & His assignes all his Right & Title & interest of the said Patten unto the said Humfrey Atwicks his heyres or assignes And the said Humfrey Atwicks being Seized & Possessed of the Premises did Assigne the premises to Thomas Peircy which after was in open Court in the County of Charles the Seaventeenth day of March One Thousand Six hundred Sixty Two by the said Humfrey together with Elizabeth his wife assigned to Thomas Peircy And the said Thomas Peircy upon the Twenty fifth day of November one Thousand Six hundred Sixty two for the Considera^{cion} of ffour Thousand pounds of Tobacco to him paid by Thomas Carvile Agree to Assigne the premises & to deliver him The Patten aforesaid in Court together with A fine & Recovery to be Acknowledged in Court by the said Thomas Peircy & Humfrey Atwicks & his wife which was accordingly done by the said Humfrey & his wife and the Said Thomas Peircy upon the Said Seaventeenth day of March 1662, And the same day the said Thomas Carvile did in Open Court in the County aforesaid Assigne all his Right Title & Interest of the said Patten unto John Legatt of the same County

Clerke & shortly after to witt on the Seaventh day of March in the
 yeare of Our Lord One Thousand Six hundred Sixty Three he the
 said John Legatt Dyed And the said Jurors upon their Oathes
 further say that they doe not Know that the said John Legatt had
 any Issue of his body lawfully begotten or left any heyres But they
 Say That the said John Legatt Dyed before any part of the Con-
 sideraçon for the parcell of the said lands was paid to the said
 Thomas Carvile & that after the death of the said John Legatt the
 said Thomas Carvile did upon the fourteenth day of March One
 Thousand Six hundred Sixty Three in Consideraçon of ffour Thou-
 to her & her heyres forEver and that she the said Bridget Legatt
 The Widdow & Relict of the said John Legatt Assigne the premises
 to her & her heyres for Ever and that she the said Bridget Legatt
 hath Ever since held & occupied the same & paid the Rent to the
 Lord Prop̄y due for the same & hath beene at Great Charge in
 building upon the same & Clearing and improving the same & that
 the said lands are worth by the Yeare as the same is now improved
 four hundred pounds of Tobacco In Testimony whereof as well
 the said Comission^{rs} as the said Jurors to this Inquisition have
 Interchangeably sett their hands & Seales the day & yeare Above-
 Said.

Jn^o Douglass Sealed

Rob.^t Doyne Sealed

Thomas Lomax	Sealed	his marke	
Richard Ambrose	Sealed	Thomas  Wakefeild	Sealed
Samuell Clarke	Sealed	John  Newton	Sealed
Robert Rowlants	Sealed	his marke	
Walter Davies	Sealed	John  ffearson	Sealed
William  Hinsey	Sealed	his marke	
his marke		Thomas Clipsham	Sealed
James Tier	Sealed	John Brookes	Sealed

Which being Read in Open Court it is the Judgement of the Court
 this fourteenth day of Aprill one Thousand Six hundred Seaventy
 Six that the inheritance in the Inquisition named is Escheated to his
 Lord^{sh} the Lord Prop̄y only One Third part thereof reserved to
 Bridgett late wife of the Said John Legatt dūring her life

Jan^{ry} the 16th 1676/7

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Wee whose names are here under Written being A Jury of Inquiry
 by Vertue of A writt from the Hon^{ble} Chancellour Dated the Thir-
 teenth of May One Thousand Six hundred Seaventy Six and
 p^rsented by Cap.^t Jonathan Sibrie and M^r William Pearce of this
 County of Cæcill to Us for to Enquire what Lands Matthias
 Cornelius late of this County Deed Died Seized of att the time of his

Liber P C Death and of whatt Manno^r & under what Rents & Services and how much those lands & Tenemts are of Value by the yeare in all Issues and att what time the Said Mathias Cornelius Dyed & who is the next heyre &c According to the Tennor of the Said Writt

The Inquisition of which Wee here underwritten by Our Diligent Inquiry returne

That is the Said Mathias Cornelius Dyed Seized of fifty Acres of Land On the North side of Sassafrax Joyning on Marquis Saverton it Being A Plantation that the Said Mathias Cornelius bought in his life time of One Clement Nickholson but wee Cannot Certainly underStand if the land was Ever Patented The Value of the lands and Tenements Wee Judge butt little itt being A Decayd Ruinate plantation of fifty Acres of Land that the Said Mathias Cornelius Seized att his Death who Died About Eleaven Yeares Since without any heyre that Wee understand to which Wee here Subscribe

Abraham Wilde	Sealed	Mounte	✕	Andrees	Sealed
Roger Lademer	Sealed	his		marke	
John James	Sealed	Andrew	Λ	Powleson	Sealed
John Browninge	Sealed	Thomas	φ	Shelton	Sealed
Bartholemew	✚ Hendrickson	his		marke	
	Sealed	Henry	○	Penman	Sealed
Thomas	T B Boston	Sealed			
Andrew	A P Peterson	Sealed	Andrew	§	Clement
his mark			his	Marke	

This the Verdict of the Jury given in to Us the Day & Yeare above Written Test p Us

Jonn: Sibrey Sealed
Willm Pearce Sealed

Which Said Inquisition being Read in Open Court the Twenty Seaventh day of Aprill one thousand Six hundred Seaventy Seven Itt is the Judgement of the Court that the land in the Inquisition named alwayes was and Still is Seized in his Lordpps Right to Dispose

Jn.^o Blomfeild Cl

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In Chancery ffryday the twelfth day of Aprill Anno Domini 1678 Betweene Thomas Sprigg p.^{lt} and Thomas Trueman def.^t att a Court of Chancery then held were present

The Honour. ^{ble}	{	Phillip Calvert Esq. ^r Chancellor
		W. ^m Calvert Esq. ^r Secretarij
		Baker Brooks Esq. ^r Survey ^r Gen ^{all}
		Benjamin Rozer Esq. ^r

Liber P C

This cause coming to be heard upon the Ninth day of October 1677 upon full debate of the matter between the parties on both sides and their Attorneys itt was by this Court ordered and decreed that the Def.^t Thomas Trueman should pay unto the Complaynant all such Charges and damages as the said Complaynant had laid out Expended and Susteyned by non performance of the Agreement therein mentioned and in the Removeing his family and Stock to the Said Truemans Plantation and in seating building fencing and cleering the Same and all other necessary charges relateing thereunto according to the writeing under the hand of the Said Thomas Truman deducting thereout all Such Sume or Summs of Tobacco as the Said Comp.^{lt} hath or without his own wilfull default might haue received out of the said Plantation by the Perception of the Proffitts thereof from the tyme of his entry thereinto till he left the Same and for as much as it was not known to this Court what Charges or Damages the Said Complainant had layd out and Expended or susteyned by non performance of the agreement aforesaid and in Seating cleering and building upon the Plantation aforesaid and other Charges relateing thereunto or what proffitt had been by him Received as aforesaid and for that the Same was properly tryable att the Comon Law by a Jury, Itt was further ordered that a writt of Inquiry of Damages should Issue to the Sherrieff of s^t Maryes County Returnable the then next Provinciaill Court to Impannell a Jury of twelve good and lawfull men of his Bailiwick to Enquire what charges & Damages the Said Comp.^{lt} had layd out and Expended or Susteyned by non performance of the agreement aforesaid and by the Cleering Seating and building upon the Premisses and other Charges Relateing thereunto and what he had or without his own wilfull default ought haue Received by the percepcōn of Proffitts thereof as aforesaid and what upon the said Juryes verdict should appeare to be due unto the Complaynant for Damages as aforesaid the said Def.^t Thomas Trueman was to pay the Same to him accordingly. Afterwards to witt upon the Nynteenth day of November following the said Def.^t Thomas Trueman did proferr his Petition to the Honn.^{ble} Thomas Notley Esq.^r Cheife Judge in Equity and thereby did Sett forth that the Complaynant haueing Exhibitted his Bill into this Court against the Petitioner and his Brother Nathaniell then Since dead to haue a Sufficient Conveyance with Generall Warranty of one Thousand Acres of Land in Calvert County or else to haue his Charges and disbursements for building and Cleering upon the same the p.^{lt} thereby aleadging that the Defendant Thomas in the Absence of the Def.^t Nathaniell agreed w.th the Comp.^{lt} that he should enter and seate upon the said Land and that the Defendent Thomas Should Procure from the Said Nathaniell a Legall Deed thereof with

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Liber P C Generall Warranty which when the Comp.^{lt} should Receive he was to pay either Soe much land att the Ridge which he was in tryall for with M.^r White or part of the Governours Mannor or else paij Two Thousand pounds of Tobacco for everij one hundred Acres or part land But if he the said Nathaniell should att his Returne Refuse to assure the Same promises and keep them himselfe then the Def.^t Thomas agreed to make satisfaction to the Comp.^{lt} for his Disbursements in Seating and Cleering and on which the Comp.^{lt} Relyeing did not reduce the Articles into writing but tooke a noate or letter from the Defend.^t Thomas to the Said Nathaniell to the effect aforesaid whereupon the Comp.^{lt} was put into Possession by the Said Def.^t Thomas and was att great Charge in building Cleering and Removing Cattle and Servants thither But that the said Nathaniell Arriveing and being made acquainted w.th the bargain aforesaid approved thereof and Seemed willing to Accept of Tenn Thousand pounds of Tobacco att Two Intire payments to witt Six thousand pounds of Tobacco in the yeare one thousand Six hundred & Seaventy, and four thousand pounds of Tobacco the yeare following towards part of the Purchase and for the Remainder in full to Accept of five hundred Acres of Land att the Ridge part of his Lordssps the Right honn.^{ble} the Lord Proprietary his Mannor there all which was freindly Accorded to and the Comp.^{lt} was willing to haue performed Soe as he might have had the Premisses assured to him with Generall Warranty the said Pet.^r further alleadging that this cause the then last court came to be heard and a decree past for the Comp.^{lt} but the Def.^t Thomas humbly Conceived and was advised that his Said Brother Nathaniell being dead before the hearing of the cause his heyr or Execut.^r ought to have been made a partie to the Bill for that by the Comp.^{lts} owne shewing in and by his said Bill the first Communication or agreement between the Def.^t Thomas and the Comp.^{lt} who had the Election was Compleat finished and Ended upon the Arriveall of his said Brother Nathaniell and the Comp.^{lts} agreement with him above Specified not having been any Conveyance att all ever tendred to the said Nathaniell to be Executed in his life time of the Premises to the Comp.^{lt} &.^c with or without Generall Warranty or otherwise howsoever and the said Nathaniell being then dead his heyre or Executor ought to Execute a Conveyance according to agreement and not thus heavily oppresse the Def.^t Thomas who was not either to have profitt or losse by either Agreement And he Conceived itt would have much more to the Comp.^{lts} Credit & Equitable dealing to haue Continued the possession of the Premisses had he been Refused an assurance thereof according to agreement and to have Exhibitted his bill into this Court against the other Def.^t Nathaneill to Enforce an Execution thereof then voluntarily quitt the Possession of the Premisses because he Conceived them too deere in hopes to bring this vexatious Suit And he further

alleged that he was advised that the high Court of Chancery in England did not give releife in any Suite where the substance thereof tended to the overthrowing of any fundamentall point of the Comon Law or to overthrow or take from other Courts their Peculiar Jurisdiction but the judging and Conclueing the Def.^{ts} Said noate or letter (wherein he promised his said Brother should give the Comp.^{ts} good assurance of the premisses) to amount to Generall Warranty is directly Repugnant and in overthrowe of a fundamentall point of the Comon Lawe (to which the Def.^t Thomas conceived the people of this Province were Subject there being noe Law in the Same Contrarij thereunto) for as much as the agreement between the Comp.^{ts} and Def.^t Nathaniell was for part Tobacco and part Land and in Lieu of the Said one Thousand Acres which was an Exchange in Lawe as to amoiety that could not be Capable of nor Subject to Generall Warranty being against the nature of Such Estate but onely Lyable to Speciall Warranty the Judgment and Construction whereof properly and peculiarly apperteynes to the Provinciaall Court And for as much as noe Decree of this Court once Enrolled could be reveised or altered but by bill of review unlesse in Causes of this nature where the case was demonstrative the Petitioner humbly be sought his honnour the Governour to putt a Stopp to all further proceedings upon the said Decree untill the matter should be Reheard before the Governour and the whole Council in the next Generall Assembly, Chancery or Provinciaall Court whereupon upon Consideration had of the Petition by his honnour the Governour he thought itt Just and Equitable that the Proceeding in the cause between the Comp.^{ts} and Defend.^t be fully Stopt as to any thing relateing to the Decree within mentioned untill the end of of the then next provinciaall Court Soe that the Defend.^t or his Councell might have tyme to be heard Upon the matter Conteyned in the Same Petition and did therefore order and require the Honourable Phillip Calvert Esq.^r Chancellor to Surcease any further proceedings upon the said Decree untill the End of the then next provinciaall Court and the Comp.^{ts} attorneys this day alleadging that the said Petition was meerly putt in for delaij to Stay the Signing and inrolling of the said Decree and that there had passed one Court to witt february Court and the Defend.^t nor his Council did in the least Stirr or move the Court to be heard therein and the Comp.^{ts} Attornij offering severall Reasons against the Said Petition and the staying of the Inrolling of the Decree aforesaid this Court thereupon and upon reading of the said Petition and order thereupon and what was alleadged on either side was Sufficiently Satisfied that the matters in the said Petition mentioned had bene fully argued att the hearing of the cause and therefore they Thought not fitt to recede from their former order but doth Order that the said former order and decree

Liber P C

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Liber P C doe Stand and be Confirmed and that the said Decree be forthwith signed and inrolled and that the Comp.^{lt} proceed thereupon as thereby is directed

In Chancery Tuesday the Nynth day of October in the yeare of our Lord one Thousand Six hundred Seaventy and Seven between Thomas Sprigg p.^{lt} Thomas Trueman Esq.^r and Nathaniell Trueman Def.^{ts} Att a Court of Chancery then held were present

The Honn.^{rable} Thomas Notley Esq.^r Leiut. Gen.th & Cheife Judge in Equity

The Hon ^{ble}	{	Phillip Calvert Esq. ^r Chancellour
		William Calvert Esq. ^r Secretarij
		Baker Brooke Esq. ^r Surveyo ^r Generall
		Benjamin Rozer Esq. ^r

p. 101 Upon the hearing and debateing the matter in question between the Said Partyes in the presence of the Comp.^{lt} & his Attorneij and of the Attorneys of the Def.^t Thomas Trueman the said Nathaniell being Dead the Substance of the Comp.^{lts} bill being that the Said Nathaniell being Seized in fee of a parcell of Land in Calvert County in this Province Containing one thousand acres by grant thereof to him made by his Lord^{sh} the Lord Proprietary and being So Seized and being about the yeare 1667 or 1668 going for England and minding and Intending to Sell the Said Land and there being a Communication being the Said Comp.^{lt} and the said Defend^{ts} touching the Comp.^{lts} Purchase thereof he the said Nathaniell att his Departure left the said Def.^t Thomas his attornij & left him full power to sell the premises to the Comp.^{lt} promising att his Returne to Ratife and Confirme what his Said Brother should act or doe in Relation to the Sale thereof, and to give the Comp.^{lt} if he should agree to buy the Same Such Legall Deed or Conveyance of the Premises as might Surely Estate the same in him the Comp.^{lt} his heyres & assignes for ever whereupon after the Said Nathaniells departure out of this Province as aforesaid and after Severall meetings had about the said Purchase itt was att last Concluded and agreed upon by and between the Said Comp.^{lt} and the Said Thomas Trueman attorney of the said Nathaniell in manner following that the Comp.^{lt} should enter into and Seate upon the said one Thousand acres of land and the said Thomas was to procure from his said Brother a firme and Legall Deed of Bargain and Sale of the said lands and premisses discharged of all Incumbrances whatsoever from anij persons whatsoever w.th a Generall Warranty which when the Comp.^{lt} should Receive such deed Soe Executed he the

Comp.^{lt} in Consideration thereof was to pay unto the said Nathaniell Truman or his order either soe much land att the Ridge which he was in tryall for with M.^r White or part of the Governour mannor or else to pay Two Thousand pounds of Tobacco for every one hundred Acres or part Tobacco and part land att his Choice but if the said Nathaniell should att his Returne into this Province refuse to make such Deed and Sufficent Sale & Conveyance of the said land as aforesaid and keepe the said land himselfe then the said Thomas Truman did for himselfe his heyres Execut.^{rs} & Administrat.^{rs} Covenant & agree to make fitt Satisfaction to the Comp.^{lt} for all his Charges and trouble that he had been att or should then after be att in the seating cleering and building upon the premises and the Comp.^{lt} reposeing great trust & Confidence in the said Thomas his old freind and acquaintance and not doubting but that the said Thomas and Nathaniell would have performed the said agreement and either have made the Comp.^{lt} a Sufficent and Legall Estate of Inheritance of the Premisses or repaid the Comp.^{lt} what Charges he should be att in Seating building and Cleering the premisses with other necessary Charges about the same he the said Comp.^{lt} was negligent and carelesse to have the Said Agreement & Contract reduced into writeing according to the usuall way of Covenants & Articles of agreement to be in due form of Law Sealed And delivered by each party but the Comp.^{lt} tooke a certain noate or Letter directed to the said Nathaniell under the hand of the Said Thomas bearing date the Nine and Twentieth day of June Anno Domini 1668 wherein the said Thomas gave the said Nathaniell to understand the Substance of the said agreement and did thereby bind himselfe his heyres Executors & Administrators to the Effect as aforesaid which said Letter the said Thomas Trueman assured the Comp.^{lt} on the word of an honest man should be as valid against him as any obligation under hand and Seale as by the said Letter or writeing ready to be produced to the honn.^{able} Court might more plainly appeare and the Comp.^{lt} further shewed that in pursuance of the said Contract and agreement he was by the said Thomas Trueman put into the possession of the said lands and premises and was att great Charges and Expences in Removeing of his goods Stock of hogs Cattle and servants thither to Seat the same, and did lay out and Expend divers Considerable sumns of Tobacco in Cleering & building upon the Same, & in the yeare 1669 the said Nathaniell arriveing in this province and being made acquainted with the said Bargain approved thereof and Seemed willing to ratifie and Confirme the Same & to accept of tenn Thousand pounds of Tobacco att two Intire payments to witt Six Thousand pounds of Tobacco to be paid by the Comp.^{lt} in the yeare one Thousand Six hundred & Seaventy & four Thousand p.^{ds} Tobacco more in the yeare following towards part of the Purchase for the said Land and for the Remainder

Liber P C

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Liber P C of the said Purchase and in full Satisfaction thereof he was willing to accept of the five hundred Acres of Land lyeing att the Ridge and for which the Comp.^{lt} shewed them a Speciall warrant from his Exelencij the then Cap.ⁿ Generall for soe much to be layd out for the Comp.^{lt} out of his Lordps mannor att the Ridge aforesaid and thereupon the Comp.^{lt} did shortly after tender unto the said Nathaniell Trueman the said Six Thousand pounds of Tobacco and was readij to have given him the said Nathaniell Sufficient securitij for the payment of the Remainder being four Thousand pounds of Tobacco and to have procured the said five hundred Acres of Land to be granted to him by his said Lordp soe as the Comp.^{lt} might have had the said Land and premisses well and Sufficiently Conveyed to him as aforesaid all which was then freindly accorded to by the said Def.^{ts} & in pursuance thereof they together with the Comp.^{lt} & M.^r Charles Boteler a Deputy Surveyour went to attend M.^r Henry Darnall to whom the warrant was Directed in order to have the said land layd out & Surveyed but by reason that they could not presently gett a Chapman to whom they might Sell the Same (one Abraham Birkhead haveing agreed to buy the Same and then Refused) the Said five hundred acres of Land was not then Surveyed and the said Nathaniell by the Advice of his Brother Thomas (as the Comp.^{lt} was Informed) refused not onely to medle therewith but to accept of the said tenn Thousand pounds of Tobacco or Security for the same or to give the Comp.^{lt} any legall Conveyance of and for the said one Thousand Acres of Land and the Comp.^{lt} was very well assured he the said Nathaniell would have Complied with the said Contract and accepted of the said Comp.^{lt} the said Tobacco and land and made the Comp.^{lt} Sufficient Conveyance of the said land had itt not been by the meanes and perswasion of the said Thomas, and the reason why the said Thomas did hinder the Doeing and Executing thereof was (as the Comp.^{lt} was informed) for that itt was given out and Reported that upon a due Survey of his Lordships mannors of Calverton or Zachiah the said one Thousand Acres would fall to be within his Lordps Said Mannors or one of them & therefore they refused to give the Comp.^{lt} a generall Warranty which the Comp.^{lt} for the Reason aforesaid was the more earnest to have and then againe by himselfe and freinds did Importune them to make him such firm Estate of the Premises as aforesaid but the Def.^{ts} understanding what vast Charges and Expences the Comp.^{lt} had been att in cleering building and improving the premisses and other Charges about the Same & the Comp.^{lt} haveing shewed them an accompt of his said Charges & disbursements amounting to the Summe of Thirty and four Thousand pounds of Tobacco & upwards and demanding Satisfaction for the same according to the said Thomas Letter and agreement aforesaid or a sufficient assurance and title to the Premises to be made him as

aforesaid they not onely denied and refused to pay or doe the Same but had turned the Comp.^{lt} out of the possession of the said Lands & premises soe built on & cleered as aforesaid & had lett the Same to one James Nathall who was then in Posession thereof contrary to Equity and good Conscience therefore and for that the Comp.^{lt} had noe wayes or means att and by the Comon Law to enforce a performance of the said agreement or to recover Satisfaction for the great Charges & disbursements by the Comp.^{lt} Expended in and about the Premisses and other his Damages by him Susteyned by reason of the non performance of the said agreement and Contract aforesaid for that the Said Thomas and Nathaniell by their farie promisses and Perswasions aforesaid had borne the Comp.^{lt} Soe long in hand that he might att the Comon Law be Barred by the Statute of Limitations Therefore to be releived against that barr of the Said Statute and in all other the Premisses and that the Said Defend.^{ts} might answer the premises and Sett forth the Particular agreements Contracts premisses meetings transactions & matter aforesaid and whether the said Thomas as attorney of Nathaniell did not agree to sell the premises to the Comp.^{lt} as aforesaid and att the Rate aforesaid and was to procure such Conveyance w.th generall Warranty as aforesaid and that they might be Compelled by the order and Decree of this Court either to make a Sufficient Conveyance and assurance of the said Land to the Comp.^{lt} with General Warrantij as aforesaid & alsoe pay unto the Comp.^{lt} what Damages and losse he had Sustained by the non performance of the Said agreement or else pay unto the Comp.^{lt} all such Charges and disbursements as he had been att and laid out in and upon the Premises with his Damages for not performing the Said agreement as aforesaid was the Effect of the Comp.^{lts} Suite but it being alleadged by the Defend.^{ts} Attorneij that Nath.^{ll} Trueman one of the Defend.^{ts} Since the comencement of this suite was dead and that he had by his will devised his Lands to Infants who were noe parties to this suite and without making them parties this Court as to the Land could not proceed to Judgement whereupon the Comp.^{lts} attorney alleadged that this cause had been long ready for a hearing and the Def.^t Nathaniell in his life tyme had been served with proces to heare Judgment and this cause had before his death Received a finall determination if by this Court the cause had not been putt of and that the said Defend.^t Thomas was the principall Defend.^t against whom the Comp.^{lt} Sought releife for his Damages in case the said Land were not Conveyed to him as aforesaid and that as against the said Defend.^t Thomas they might proceed to hearing this Court thereupon proceed to the reading of the Defend.^{ts} answers and the Said Defend.^t Thomas Trueman by answer Said that in the moneth of November one thousand Six hundred Sixty Seven (the other

Liber P C Defend.^t being then in England) the Comp.^{lt} Repayred to this Defend.^t (who had formerly done him many kindnesses) and earnestly importuned him this Defend.^t to accomodate the Comp.^{lt} w.th a seate of Land whereon to imploij his Servants whereupon there hapened between them Some Communication Concerning the Comp.^{lts} purchasing the Said one Thousand acres and his Seating thereupon And att Last this Defend.^t for Supply and releif of the Comp.^{lts} necessity agreed with him in Manner and forme following that is to Say that he the Said Comp.^{lt} Should enter and Seate upon the Said one thousand acres of Land of the other Defend.^t And that in case the other Defend.^t upon his Returne from England should refuse to convey & assure to the Comp.^{lt} Such Estate of Inheritance of the Premises as was usuall in this Province in case of like nature in Consideration of Twenty Thousand pounds of Tobacco that is to Say two Thousand pounds of Tobacco for every one hundred Acres of Land or soe much of his the said Comp.^{lts} land att the Ridge which he pretended he was then Seized of in ffee in Lieu thereof or part Tobacco & part land att the Choice of the other Defend.^t Nathaniell and in case the Said Defendent Nathaniell should refuse to make good the said sale or Exchang this Defend.^t did ingage to reimburse the Comp.^t Such charges as he Should be att in Seating clearing and building uppon the Premises, and beleaved he gave the Comp.^{lt} anoate under his hand to that purpose And thereupon the Comp.^{lt} entered and became possessed of the Premises but was not putt into possession by this Defend.^t And he further Said that about the moneth of January in the yeare of our Lord one Thousand Six hundred Sixty Seaven the other Defend.^t Nathaniell Returning from England this Def.^t acquainted him with the agreement abovesaid whereupon the said other Defend.^t declared and made knowne to the Comp.^{lt} his willingnesse and readinesse to Confirme the Same and to accept of twenty Thousand pounds of Tobacco for his interest in the Premises and to make Such Conveyance of the Inheritance thereof as was usuall in like Cases in case the Comp.^{lt} would have paid or reasonably Secured the payment of the Said twenty Thousand pounds of Tobacco which he altogether refused and neglected to doe neither did he pay or Secure the payment of the Same or any part thereof to the Defend.^{ts} knowledge but Continued the possession of the premises and afterwards the other Defend.^t agreed with the Comp.^{lt} that in case the Comp.^{lt} would pay the said Def.^t tenn Thousand pounds of Tobacco and assure the Inheritance of five hundred Acres of good Land upon the Ridge part of the mannor there belonging to the Right honn.^{able} the Lord Proprietary Such as this Defend.^t should approve of unto the Said other Defend.^t or Such as he should appoint the said other Defend.^t would Convey and assure the Said one Thousand acres of

Land unto the Comp.^{lt} in fee Simple And Thereupon this Defend.^t went with the other persons in the Bill named and viewe a peice of Land which this Defend.^t did not take nor approve of for that the Land was not worth Two Thousand pounds of Tobacco p hundred Acres nor would Abraham Birkhead or any other person have given soe much for itt nor was the title thereof Cleere in the Comp.^{lt} the Same being vested in the Right Honnourable the Lord Proprietary as part of the Mannor of the Ridge nor did the Comp.^{lt} shew the Defend.^t any Speciall Warrant from his Excelencij nor did the Defend.^t knowe or ever heare of any land the Comp.^{lt} ever had upon the Ridge or belonging to the Ridge Mannor or of any Suite or tryall he ever had or brought against M.^r White for anij land there or else where or whether or no the said five hundred Acres of Land was Surveyed or the reason whij the same was not soe surveyed nor did he or the other Defend.^t to his knowledge beare him in hand by any faire promises to debarr him of any action at Law but beleived and hoped to prove if the Comp.^{lt} would haue performed his said Bargain and agreement on his part that the other Defend.^t Nathaniell was always ready and willing to have Conveyed and assured the premises to the Comp.^{lt} according to the said Agreement but the Comp.^{lt} having Continued the possession of the Premisses for the terme of four yeares without paying any thing for the same to the Defend.^t and not having paid or Secured the Said Purchase consideration or any part thereof or ever tendered any Conveyance of the Premisses to be Executed by the other Defend.^t as he beleived and was informed by him voluntarily quitted and left the possession of the Premisses and was not turned out by the Defend.^{ts} or any other by their order or privity And thereupon the other Defend.^t lett the Same to James Nuttall And the Defend.^t denyed the said Land Lyed within the mannors of Calverton or Zachayah or either of them or that thereupon or by this Defend.^{ts} perswasion the other def.^t refused to give the Comp.^{lt} generall Warranty or that Generall Warranty was to be given by the agreement aforesaid touching the said sale or Exchange or other or further then such Warrantij as is knitt by Lawe to every Exchange and denyed alsoe that by the Agreement aforesaid the said Purchase Consideration was not to be paid or Secured untill the Said Defend.^t Natha.^{ll} had Executed such deed of bargain and Sale as the Comp.^{lt} by his said Bill did Suggest and he Conceived the Comp.^{lt} had noe cause to molest this Defend.^t w.th this vexatious Suite after the end of Seven yeares to have the Said bare paroll agreement Executed or Satisfaction for his pretended disbursements when noe earnest or any part of the Purchase Consideration paid or secured to the Defend.^{ts} knowledge, and the said other Defend.^t being really damnified for want of the Said Purchase Consideration the sum of tenn Thousand pounds of Tobacco and

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Liber P C upwards as he verily beleevd and the Said other def.^t Nathaniell by his answer did Sett forth that he was Seized in fee of the premisses and that att his going for England he had noe intention to sell the Same nor had any Communication with the Comp.^{lt} about the Same, but att his Returne the other defend.^t informed him of the Contract as before in the said other defend.^{ts} answer is Sett forth and the Defend.^t was willing to Confirme the same and Saith in all other things as the Said other Defend.^t hath before Sett forth and Expressed, And further that he did not know what Charges the Comp.^{lt} had been att in cleering and building upon the premisses nor did he ever shew him any noate thereof but the Defend.^t beleived and hoped to prove to this Court that he had satisfied and Reimbursed himselfe all such Charges as he had laid out thereupon by preception of the profitts of the Premisses for the said terme of four yeares with an over plus or might have soe done and Enjoyed the Benefitt of the said Bargain had itt not been through his own willfull default and that he was really damnified for want of the said Purchase Consideration tenn Thousand pounds of Tobacco and upwards and itt being alleadged by the Comp.^{lts} Attorneys that itt appeared by the said Defend.^t Thomas Trumans letter or writeing under his hand as aforesaid which was by the Defend.^t in his answer Confessed to have been by him given to the said Comp.^{lt} and now read in Court that the said Thomas Truman thereby did agree promise that his said Brother the said Nathaniell should make and give to the Said Comp.^{lt} a good Sale of the premises, or else that the said Thomas Did bind himselfe his heyres Executors & Administrators firmly by those presents to make full Satisfaction to the Said Comp.^{lt} for all his Charge and trouble he hath been att in Seating of the Said land and that the best way of giveing Sufficient assurances of Land is to give Generall Warranty as in this Case was required and which the said Comp.^{lts} attornyes urged was necessary to be given Since there was not onely a report that the said Land was within mij Lords Manner but. that it was made appeare there was one bound tree found upon the said Land which was the Reason that the Comp.^{lt} demanded a deed with a Generall Warrantij, and upon makeing Such Deed he tendered part of his purchase Consideration and was readij to have given Security for the Remainder which was Refused to be Made or Received and that therefore the Comp.^{lt} ought to be reimbursed his Damages and Charges aforesaid according to the said Defend.^t Thomas his agreement aforesaid But the said Defend.^{ts} attorney alleadging that by the said agreement the said Nathaniell was not to give Generall Warranty but such Conveyance as was then usual in this Countreij and the said Land was then and Still is cleer of his Lordps Mannor and that he is already Reimbursed what he layd out by preception of profitts this Court thereupon and upon Reading the said Letter or writeing of the said Thomas

Truman and the proofes taken in this cause and hearing of what could be alleadged on either side was fully Satisfied that the said Comp.^{lt} ought to have had a good deed of Sale of the Premisses to him & his heysr for ever with a generall Warranty against all persons whatsoever which was denied to be given him and that therefore itt was to noe purpose for him to tender any deed of Conveyance to be sealed or any Security for his purchase Consideration and doe therefore think fitt to releve the said Comp.^{lt} against the Statute of Limitations and soe order and Decree that the said Defend.^t Thomas Truman doe paj unto the said Comp.^{lt} all such Charges and Damages as the said Comp.^{lt} hath laid out Expended & Sustained by non performance of the agreement aforesaid and in the Removing his family & Stock to the said Trumans Plantation and in Seating building fenceing and Cleering the Same and all other necessary Charges relateing thereunto according to the said writeing under the hand of the said Thomas Truman deducting thereout all Such Sum or Summs of Tobacco as the said Comp.^{lt} hath or without his own wilfull default might have received out of the said Plantation of one Thousand Acres by the preception of the Profitts thereof from the tyme of his Entry thereunto till he left the same. And for as much as it is not known to this Court what Charges or damages the said Comp.^{lt} hath layd out & Expended or Susteyned by non performance of the agreement aforesaid and in Seating Cleering & building upon the Plantation aforesaid and other Charges relateing thereunto or what profitts have been by him received or which he without his own wilfull default might have Received as aforesaid and for that the same is Property tryable att Coñon Law by a Jurij, this Court doth therefore further order that a writt of Inquriy of Damages doe Issue to the sherriff of S.^t Maryes County p. 109 Returnable the next Provinciaall Court to Impanell a Jury of twelve good and Lawfull men within his Bailiwick to Inquire what Charges and damages the said Comp.^{lt} hath laid out Expended & Susteyned by non performance of the agreement aforesaid and by the Cleering Seating and building upon the Premisses and other Charges relateing thereunto and what he hath or without his owne willfull default might have Received by the Preception of the Profitts thereof as aforesaid and what upon the said Juryes verdict shall appeare to be due unto the said Comp.^{lt} for Damages aforesaid the said Defend.^t Thomas Truman is to pay the same to him accordingly

Philip Calvert

Loveing Brother Nathaniell


I have ordered M.^r Sprigg to Seate upon your Thousand Acres of Land and he is to give you either soe much land att the Ridge which he is in tryall for with M.^r White or part of the Governours mannor or else to pay you Two Thousand pounds of Tobacco for

Liber P C every hundred Acres or part Tobacco and part land att his Choice if you make the sale good to him, if you doe not make the sale good to him but will keepe the Land your Selfe Doe hereby binde my Selfe my heyres Executors or admi.^{rs} firmly by these presents to make full Satisfaction to him for all his Charges and trouble that he hath been att in the seating of the said Land as wittness my hand this 29.th of June 1668 Thomas Truman

Wittness

Sam: Sprigg

his

James  Nuttall
marke

In Chancerij Att a Court of Chancery held att the Citty
of s.^t Maryes the 27.th day of Maij in the first year of the
Dominion of Charles &.^{ca} present

The Right honn.^{ble} Charles Absolute L.^d & Prop.^{try} of y^e Province
of Maryland and Avalon Lord Baron of Baltimore &.^{ca}

The Hon. ^{ble} {	Phillip Calvert Esq. ^r Chancellor
	W. ^m Calvert Esq. ^r Secretarij
	Thomas Taylor Esq. ^r
	Samuell Chew Esq. ^r
	Jesse Wharton Esq. ^r

Between W.^m Guyther gent. Comp.^{lt} and Ignatuis Mathews an
Infant Sonne & heire of Thomas Mathews the younger deceased
who was Sonne and heir to Thomas Mathews the Elder dec.^d by
W.^m Boareman Gent.^l his guardian Defendant.

p. 110 This cause Standing Revived in the Paper of causes ready for a
hearing on this Present daij in the Presence of the Comp.^{lt} and
Robert Carville his attorneij and in the Presence of Robert Ridgeleij
attorney for the Defendent (he nor his guardian appearing though
he was duly served with Processe to heare Judgment) the Sub-
stance of the Comp.^{lts} Bill appeared to be that whereas heretofore
that is to Saij in October Court in the yeare of our Lord one thousand
Six hundred Seaventy and four the Comp.^{lt} did Exhibitt his bill of
Comp.^{lt} into this Honnourable Court against the Said Thomas
Mathews the elder deceased and others Defend.^{ts} thereby Setting
forth that one Cap.ⁿ W.^m Hawleij late of S^t Maryes County Esq.^r
having right to Six Thousand Acres of Land and upwards in the
said Province of Maryland by title derived from Jerome Hawleij
Esq.^r late of the said Province deceased as appears by an order of the
Provinciall Court bearing date the four and Twentieth daij of March

in the yeare of our Lord one Thousand Six hundred fifty & Two his Lord^p the Right Honn Cæcilius Lord Proprietrij of noble memori^j in Consideration thereof and according to the Tenor of his Lor^{ps} Letter under his hand and Seale bearing date att Portsmouth in the Realme of England the Eighth day of August in the yeare of our Lord one Thousand Six hundred thirtij and Six Recorded in the Secretarys office in this Province did by his Letters Pattennt under the great Seale of the said Province bearing date the twelfth day of December in the yeare of our Lord one thousand Six hundred fifty and Three grant unto the s.^d Cap.ⁿ W.^m Hawley all that tract of Land on the west side of Chessepiake Bay neare unto a Creeke Called S^t Jeromes Creeke Beginning on the west Side of the said Creeke att a marked Chesnutt Tree standing neere a marsh or Swamp called s^t Davids Swamp and Running west from the said Chesnutt for the length of Eighty perches unto a marked Oake in a valeij bounding on the west w.th a line Drawn north from the said Oake for the length of Eight hundred fifty five perches unto a fresh Runn and with a line Drawn North and by West unto the Land of Stanhope Roberts called Drapers Neck on the North w.th the said Land on the East with the said Baij from Drapers neck unto the mouth of S.^t Jeroms Creeke on the south with a line drawn west from the mouth of the said Creeke unto the first marked Chesnutt Tree and the first West Lyne Contayning & then layd out for five thousand Seaven hundred Acres more or less together w.th all Profetts Rights & Benefitts there unto Belonging To have and to hold the Same to him the said W.^m Hawleij his heyres and assignes for ever to be holden of the mannor West S.^t Maryes in free & Comon Soccage bij fealty for all manner of Services under the yearly Rent of five pounds fourteene shillings Sterl. or eleaven Barrells and Two Bushells of good Corne as bij the said Letters pattents Ready to be produced under the great Seale of this Province might more att large appear by vertue whereof the said William Hawley became Seized and possessed of the Said Lands and premisses in his Demesne of fee and being soe Seized and having a great kindnesse & affection for the Comp.^{lt} being his god Sonne and minding & intending to Settle all or most part of the Said Lands & premisses on the Comp.^{lt} & his heyres and assignes for ever hee the said Captain William Hawley did about the yeare of our Lord one Thousand Six hundred fifty and four make his last will and testament in writeing Sealed and published in the Presence of Divers Credible Wittnesses and therein and thereby amongst other things did give devise and bequeath the said Lands and Premisses to the Comp.^{lt} & his heyres and assignes for ever and shortly after dyed leaving the Comp.^{lt} an Infant of about two yeares old after whose death the Comp.^{lt} by vertue of the Said will became Legally intituled to the Said Lands and premisses & then ought to have held and enjoyed

Liber P C

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Liber P C the Same according to the will of the said William Hawleij and to have an account of the measne profitts raised and Received out of the Premises from such persons as had held and Enjoyed the Same dureing the Comp.^{ts} minority and the Comp.^{ts} having then lately atteyned his age of one and Twenty yeares & Comeing to looke after his Right & title to the Premises and to have possession of the Premises But the Said Thomas Mathews the Elder George Charlsworth Henry Ryder Joseph Hackneij W.^m Clawe & Sarah his wife the widow of William Cole dec.^d and Richard Cole an infant Sonne and heyre of the said William Cole haveing Combined together to defeat the Comp.^{ts} of his just right and title to the Premises they or some of them had gotten into Possession of Severall parcellls of the Premises & had gotten possession of the said Originall Will of the said W.^m Hawleij which they did suppress and Conseale the same or knowing that the Same in the tyme of the late Rebellions in this Province was Lost or mislaid that the Comp.^{ts} could not procure the Same to Justifie his title to the Premises they the Said Confederates did deny and refuse to Discover where the same will was or to Deliver up possession of their Severall parcellls of land to the Comp.^{ts} whose undoubted Right they were nor would they discover by what right or title they held the Same Contrarij to Equity therefore to enforce a Discoverij of the Said will and to have the said Def.^{ts} Sett forth & discover their Severall titles to their parcellls of Land they soe held and to have an account of & Satisfaction for their profitts of the Same and that the s.^d Lands might be Decreed to the Comp.^{ts} and his heyres for ever according to the will of the Said Cap.^t W.^m Hawley and that the Def.^t might true answer make to the premises & the Comp.^{ts} relieved therein according to Equity he humbly craved the favourable aid and assistance of this Honn.^{ble} Court and that proces of Subp.^a might be thereout awarded against the said Thomas Mathews the Elder George Charlsworth Henry Rider Joseph Hackney W.^m Clawe & Sarah his wife and Rich.^d Cole to appeare and answer the Premises the w.^{ch} being granted and the Said Defend.^{ts} there withall Served they appeared accordingly and the Said Thomas Mathews the elder putts in his answer to the s.^d bill & thereby amongst other things did sett forth that he beleived the said W.^m Hawley had Such right to y.^e premises as before is Sett forth and that the Comp.^{ts} was his God sonne and there being great Intimacij between the said W.^m Hawley and Nich.^o Guyther father of the Comp.^{ts} the said W.^m Hawley did often in the Def.^{ts} hearing assure the said Nicholas that he would Settle the premises on him in Consideration of the said Nicholas maintaining the said W.^m Hawley dureing his life that the said Nicholas being taken a prisoner att Severne by the Enemys to the L.^d Prop.^{ty} and was Condemned to be shott to death

but afterwards Escaped and gott for England and in the meane
 tyme the Def.^t had Purchased of the Said William Hawley four
 hundred Acres of Land on the South side of S.^t Ellen Creeke called
 Mathews hope and for the Same was to give to the Said William
 Hawly five Thousand pounds of Tobacco and payd in part thereof
 to the said W.^m Hawley in his life tyme to the best of the Def.^{ts}
 Remembrance about Three Thousand pounds of Tobacco after
 which troubles arising in the Country and the Def.^t alsoe being
 in the service of the said Lord Prop.^t and his Lordps Enemeys have-
 ing also taken the Countrij from his Loppes whereby also his
 Lordps friends were looked on as trayto.^{rs} to the then present
 Government the Def.^t neglected to take an assurance from The
 said Hawleij for the said four hundred Acres of Land and shortly
 after goeing to the house of the Said Nicholas Guyther Mary wife
 of the said Nicholas told the Def.^t the Said W.^m Hawley lay very
 desperately Sick and the Country being taken as aforesaid and her
 husband a Condemned man the said W.^m Hawley was minded to
 Settle the Said Land according to his former premisses on her
 husband and as she should direct and shee knowing the Def.^t to be
 Concerned in part of the said Land asked his advice which way the
 said W.^m Hawley might Settle the Same to prevent a Seizure by
 the severn men the Def.^t Sayth true it is he that did advise the said
 Mary that the best way was to have the said Hawley Settle the same
 on the Comp.^{lt} being an infant of about a yeare old which would
 best secure the same to the said Nicholas and shortly after the said
 W.^m Hawley dyed and the Defend.^t Comeing after to the said
 Gaythers house asked the Said Marij if the Said William Hawleij
 had settled the said Land as hee the def.^t had advised to which shee
 answered hee had and thereupon fetcht a paper Sealed upp and to
 the best of his Remembrance shee told him the same paper was
 the said W.^m Hawleys last will where upon the Defend.^t would
 have opened itt & read it but the said Mary hindered him Saying
 it should not be opened till her husband came into the Countrey
 but whether the same paper was W.^m Hawleys will or not he
 knoweth not or that thereby the Comp.^{lt} had anij title to the prem-
 isses and he denied all Combinacon w.th any person to defeat the
 Comp.^{lt} and he knows nothing of the said will or ever see the same
 or a Coppie thereof or read or heard the Same read or that the
 same was Suppress or Concealed or mislaid in the Rebellious tymes
 or whether thereby the premisses were devised to the Comp.^{lt} nor
 any thing else in relacon to the said will then as aforesaid Sayth
 that after Hawleys death Nicholas Guyther was in possession of all
 the Premisses (Except what the said Hawley or Gwyther had sold
 before the death of the said Hawley for the Said Guyther had
 power from the Said Hawley in his life tyme to Sell the said land
 as the said Defend.^t had often heard the Said Hawley owne) but

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Liber P C what was Sold he knows not And the Def.^t having bargained and
 agreed for the Said four hundred acres of Land as aforesaid &
 paid part as aforesaid and there being about Two Thousand pounds
 of Tobacco unpayd of the Purchase and the Said Nicholas being
 Returned againe and the Province Reduced to his Lordps obedience
 p. 114 and the Defend.^t having had noe assurance from Hawley in his
 life tyme for the said four hundred acres of Land and the land
 being as the said Marij told him as aforesaid settled as aforesaid the
 Defend.^t Conceived the said Nicholas could not make the Def.^t a good
 title to the Said four hundred Acres of Land And therefore urged
 the Said Nicholas Severall tymes to Repay the said Three Thousand
 pounds of Tobacco but the Said Nicholas assured this Defend.^t that
 he had a good title to the said land and could Lawfully Convey the
 Same to him and make him a good title of Inheritance Thereupon
 this Defend.^t being Ignorant in the Lawe applyed himselfe to the
 Honn.^{ble} Phillip Calvert Esq then Secretarij of this Province and
 to severall other Eminent and learned persons for advice in the
 premisses who all assured the Defend.^t that the said Guythers Right
 was good to the Said Land but the Secretarij advised him that
 unlesse his Lordps Rent were paid the said Land would be forfeited
 & the Said Guyther Solicited the Def.^t to pay the Said Two Thou-
 sand pounds of Tobacco remainder of the purchase moneij to enable
 him to paj the Rent aforesaid w.^{ch} the Def.^t refusing untill an
 assembly Satt the Defend.^t thinking that would be the best way to
 secure his Land to have itt made over in a generall Assembly and
 thereupon the said Nicholas att a Generall assembly held for this
 Province by indenture duely Executed in the Lower house of as-
 sembly and attested by William Evans & Luke Gardner members
 of the Said house and W.^m Britton Clarke of the said house the
 Sixth day of Aprill Anno Domini one thousand six hundred Sixty &
 one between the said Nich.^o Guyther and the Defend.^t w.^{ch} witnessed
 that the Said Nicholas in Consideration of five Thousand pounds
 of Tobacco had sold aliened and Bargained the said four hundred
 Acres of Land w.th the Appurtenances to the said Defts & his
 heyres for ever under the Rent of one Bushell of Indian Corne and
 other rents and Covenants in the same Indenture Contayned And
 further the Said Nicholas did in the Same indenture declare that
 whereas he was Lawfully possessed of the Estate that did formerly
 belong to Will.^m Hawley deceased as by a Lawfull order of the
 Provincially Court bearing date the four and twentieth day of March
 one Thousand Six hundred fifty and two might appeare had sold
 the said Land to provide a Sufficiency wherewithall to pay what
 p. 115 arrearages of Rent were behind that the whole might not be for-
 feited for non payment of his Lordps Rents and therefore the said
 Nicholas did bind himselfe and his heyres to make the Said Sale
 good as by the Said Indenture might appeare by vertue whereof the

Defend.¹ intered into the Premises and four hundred Acres of Land and became thereof Seized and had been ever Since in possession thereof and that after the Sealing thereof his Excelency Charles Calvert Esq.^r Cap.ⁿ Generall of this Province & Henry Sewall Esq.^r Secretary of this Province coming to the Defend.^{ts} house the Defend.^{ts} witnesses being then living that Could prove the Def.¹ bought the Said four hundred Acres of Land of the Said William Hawleij in his life tyme and that he paid three thousand pounds of Tobacco in part of payment for the Same though hee had noe assurance from Hawley under his hand but producing the Said Indenture to them to know if the Same were vallyd and good in Law otherwise that he would procure his Evidences to bee sworne & Examined in this Court in perpetuum rei memoriam to prove his Purchase of Hawley in his life tyme his honnour the Governour did then assure the Defend.¹ that he had a good title without haveing itt from W.^m Hawley but the Secretary said W.^m Hawley had noe title to the premisses but the Same belonged to the heyres of Jerome Hawley deceased and the Governour had then a letter of Attorney from the Daughters of the Said Jerome Hawley whose land itt really was and the said Secretarij said if the Defend.¹ would give him a Sorrell horse he would make the Defend.^{ts} title good to the Said four hundred Acres of Land and Since he was advised by all persons that were learned in the Laws that his title was good and soe he proceeded noe further and hath Continued in the Quiet and peaceable possession ever Since and payd the rent and soe w.th the Generall Traverse he Concluded his answer to w.^{ch} Answer of the said Defend.^{ts} the Comp.^{lt} Replyed and the matter being att a full & perfect Issue divers witnesses were Examined in the said Cause and the Depositions Duely published according to the Antient and accustomed rules of this Court and this cause being Ripe for a hearing before a day was by this Court appointed for the hearing thereof the said Thomas Mathews the Elder dyed leaveing behind him Thomas Mathews the younger his sonne and heyre who presently after dyed alsoe and soe the Said suit abated and the Said Thomas Mathews the younger left behind the Defendant Ignatius Mathews his sonne and heyre an infant who claymed right to the Premises either as heyre to the said Thomas Mathews the elder or by vertue of some other Right by will or otherwise Therefore that the Said suite and all the Proceedings thereupon might Stand revived against the said Ignatius Mathews and that hee might Sett forth his title to the said Lands and Premises and that the Premises might be decreed to the Comp.^{lt} & his heyres for ever he alsoe prayed the ayd and assistance of this Honn.^{ble} Court and processe of Subp.^a to be directed to the Said Ignatius Mathews to appeare and answer the Premises and to shew cause if any he had whij the Said suite and all the Proceedings thereupon should not Stand revived against him

Liber P C in as good plight as they were against the said Thomas Mathews which being granted and the Said Def.^t therewithall served he appeared by his attorney aforesaid but shewed noe cause to the Contrary of the Reviving of the Suite aforesaid whereupon the said former Suite and all the Proceedings thereupon were by an order of this Court revived to Stand in the Same Plight and Condiçion as the Same were at the tyme of the Death of the said Thomas Mathews the elder And the said Cause Soe Standing this present day was appointed for hearing thereof On w.^{ch} day upon hearing & debaating of the matter in question as aforesaid and upon Reading of the said Bill and answer the severall depositions taken in this cause and that by the Same proofs itt did well and Sufficiently appeare and the whole Court were fully satisfied and soe declared that the said Cap^t William Hawley did make a will in writeing and thereby did devise and bequeath all the Said Severall lands tenements and premisses before mençoned to the Comp.^{lt} his god Sonne & his heyres for ever and that the said will was in the tyme of the late Usurpaçon by ffendall and fuller or (as his honn.^r the Chancellour deposes) it might be recorded by Henry Hide in the yeare one Thousand Six hundred Sixty being durement that Said Usurpaçon of them and their Complices and that itt might be burnt with other their pretended Records by his Honn.^r the Chancellor, according to an order given him by the Right hon.^{ble} the Lord Prop.^{ty} that the said Nicholas Guyther father of the Complaynant had noe Right or title in Law or Equity to Sell or dispose of any part of the Said Lands & premisses to any person or persons whatsoever from the said Comp.^{lt} in whome only the Estate was and that the Said Comp.^{lt} being an Infant under age was not bound by any act done by his ffather or any other as his Guardian Soe much to his Prejudice and that all Contracts and Sales by the Said Nicholas Guyther or any other since the Death of the Said William Hawley and durement the minority of the said Comp.^{lt} are voyd in Law and that the said Defend.^{ts} title in and to the said four hundred Acres of Land ought to be sett aside and that the Defend.^t Thomas Mathews the elder had sufficiently reimbursed himselfe the purchase money by him supposed to be paid by the pception of the meane profitts with an over plus and that the title of all other the said Defend.^{ts} in the Bill mençoned to any part of the said Lands and premisses by vertue of any Sale or purchase from the Said Nicholas Guyther are likewise voyd and of noe force to barr the Clayme of the said Comp.^{lt} in and to the same and doth therefore think fitt and soe order adjudge and Decree that the said Comp.^{lt} doe and shall have hold and enioij the said Lands and premisses w.th their appurtenances lyeing att S^t Jeromes as aforesaid and before particularly mentioned to him & his heyres for ever according to the true intent and meaning of the said W.^m Hawley in his Last will and testament aforesaid in an absolute Estate

of Inheritance in fee Simple and that the said Def.^t Ignatius Mathews¹ Liber P C
his tenants & assignes doe forthwith deliver or cause to be delivered
to the said Comp.^{lt} the full and quiet possession of the said four
hundred Acres of Land with the appurtenances to hould to him the
said Comp.^{lt} & his heyres for ever by this present Decree accordingly
w.th Costs of Suite to be paid by the said Defend.^{ts} the heyres att
Lawe to the Said Thomas Matthews the elder to the Comp.^{lt} to be
taxed by the Honourable the Secretarij

Philip Calvert Canc.

Att a Court of Chancery held att the City of S^t Maryes
the twenty fifth day of ffebruary in the third yeare of the
Dominion of Charles &^c Annoq Dom 1678 [sic] Present

The Hon^{ble} { Philip Calvert Esq.^r Chancelo.^r
W.^m Calvert Esq.^r Principall Sec^{ry}
Thomas Tailor Esq.^r
Benj.^a Rozer Esq.^r

Edward Williams }
ag.^t
Bruen Radford }

Humphry Jones }
ag.^t
John Coode }

Bernard Johnson }
ag.^t
Jn^o Abington }

Jn^o Haslewood & ux }
ag.^t
Benj^a Granger }

Jn^o Browning }
ag.^t
Andrew Peterson &
Geo. Oldfeild }

Tho : ffrancis }
ag.^t
Solomon Sparrow }

Ricd Beck }
ag.^t
Geo : Godfrey }

Stephen Burle }
ag.^t
Tho : Marsh }

These Eight causes are continued untill next
Court

Liber P C p. 118	Cadwallader Jones & Sam. ¹ Leadbeater ag. ^t Tho: Carlisle & Tho: Watson Ex. ^{rs} John Cunningham	}	This cause is continued untill next Court
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Att a Court of Chancery held att the City of S.^t Maryes
 the thirteenth day of April in the third year of the Do-
 minion of Charles &^c Annoq Dom 1678

Present

The Hon ^{ble} .	{	Philip Calvert Esq. ^r Chancelour W. ^m Calvert Esq. ^r Principall Sec ^{ry} Thomas Tailor Esq. ^r Benj. ^a Rozer Esq. ^r
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Edward Williams } ag. ^t } Bruen Radford } Humphrey Jones } ag. ^t } John Coode } Bernard Johnson } ag. ^t } John Abington } John Haslewood & ux } ag. ^t } Benj. ^a Granger } John Browning } ag. ^t } Andrew Peterson & } Geo: Oldfield } Tho: ffrancis } ag. ^t } Solomon Sparrow } Richard Beck } ag. ^t } Geo: Godfrey } Stephen Burle } ag. ^t } Tho. Marsh } Cadwallader Jones & } Sam. ¹ Leadbeater } ag. ^t } Tho. Carlisle & Tho. } Watson Ex. ^{rs} Jn. ^o } Cunningham }	}	These nine actions are continued untill next Court
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Att a Court of Chancery held att the Citty of S:^t Maryes
the Eighteenth day of June in the third yeare of the Do-
minion of Charles &c Annoq Doni 1678.

Liber P C
p. 119

Present

The Hon: ^{ble}	{	Thomas Notley Esq ^r Lieuten. ^t Gen. ^{ll} & chiefe Justice
		Philip Calvert Esq. ^r Chancelour
		William Calvert Esq. ^r Principall Sec ^{ry}
		Thomas Tailor Esq. ^r
		Benjamin Rozer Esq. ^r

John Haslewood & Mary his wife Ex ^{rx} Jn. ^o Avery ag. ^t Benj. ^a Granger	{	This cause standing att full & perfect issue, Or-
		dered by the Court that publica ^o n passe & that
		the cause be sett down for hearing & come to tryall
		next Court

Humphrey Jones Comp. ^{lt}	{	These Two causes are continued untill next Court.
ag. ^t		
John Coode Defend. ^t	{	
John Browning Comp. ^{lt}		
ag. ^t		
Andrew Peterson & Geo: Oldfield Defend. ^{ts}		

Richard Beck Comp. ^{lt}	{	This cause is continued untill next Court
ag. ^t		
George Godfrey Defend. ^t		

Thomas Bland & Damoras his wife Comp. ^{ts}	{	Ordered that the Defend. ^{ts} putt in their answers by the next Court.	
ag. ^t			
Edw. ^a Dorsey & Sarah his wife, Tho: Tailor Esq. ^r	{		
Coll W ^m Burgess & Richd Hill defend. ^{ts}			
Stephen Burle Esq ^r			{
Robert Burle Comp. ^{lt}			
ag. ^t			
Tho: Marsh Defend. ^t			

Bernard Johnson Comp. ^{lt}	{	Ordered that publica ^o n passe in this cause & that it come to hearing next Court
ag. ^t		
John Abington Defend		

His Lord^{pp} the Lord Prop.^{ty} of this Province sendeth his writt of
scire facias to the Sheriffe of S:^t Maryes County which followeth

Liber P C in these words viz:^t Whereas we have made inspection into the Records of our said Province of Maryland in our Sectys Office remaining wherein itt appeareth amongst other things that Cæcilius our late ffather of noble memory the Eighteenth day of July one thousand six hundred forty two under the great seale of our said Province did Grant unto Thomas Gerard gent^l a tract of land bounding upon the South with Potowmeck River, upon the West with Wiccoconico River, upon the East with S:^t Clements Bay, & upon the North with a right line drawn from a Creek in Wiccoconico River called Gerards Creeke South Easterly to the nearest branch of a Creek in S:^t Clements bay called the fresh Creeke And likewise three Islands the one in Potowmack River called S:^t Clements, the Second in the mouth of S:^t Clements bay called S:^t Katherines Island, & the third lying neer unto itt in the mouth of Wiccoconico River called S:^t Margaretts Island, the said tract of land & Islands containing six thousand acres in the whole or thereabouts Upon such consideraçon & under such rents & provisos as in the same is expressed & referred And for that upon Informaçon that the said Grant to the said Thomas Gerard granted in the lines thereof doth not comprehend above foure hundred acres of land, but that the lines of the said land are cleerly mistaken, & yett under colour the said Thomas Gerard in his life tyme & those that claime under him since his death have held as their own land a very great quantity of land by which we & our said ffather have been of our rents for the surplusage lands more than the six thousand acres menõned in the said Patent And we being willing that the truth of the premisses should be fully discovered have caused the said tract of land to be Resurveyed & laid out anew by John Manley gent^l deputy Survey.^r under our trusty & welbeloved Baker Brooke Esq.^r our Survey.^r Gen:^{ll} of our said Province reputed to be passed by the said Grant to the said Gerard Deceased which said Deputy Survey.^r hath made returne of this Resurvey under his hand into our said Office that the said tract of land containeth Eleven thousand foure hundred acres By which itt is evident & apparent that our Said ffather of noble memory hath bin deceived in the said Grant, & that Patent for the same was unduely illegally & Surreptitiously obtained to the disinherizon of us & our heyres And the said Tho: Gerard being deceased & the possession of the p'misses being in Justinian Gerard gent^l Sonn & heyre of the said Thomas Dec^d

p. 121 Wee therefore comãd you that by good & lawfull men of youre bailywick you make known & give warning to the said Justinian Gerard that he be & appeare before us in our Court of Chancery the Eighteenth day of this instant June wheresoever itt shall be holden to shew cause if any he hath why the said Letters Patent for the said land so surreptitiously obtained ought not to be revoaked

adnulled & made void upon Record, & the same into our hands be seized, & to doe & receive what our said Court shall consider of in this behalfe And in what manner you execute this p^rcept you make known unto us the day aforesaid & have you there this writt Witnes our selfe att the Citty of S.^t Maryes the seventeenth day of June in the third yeare of our Dominion &c., Annoq^{ue} Dni 1678. Liber P C

Att which said Eighteenth day of June in the yeare aforesaid the same Sheriffe maketh returne of the p^rcept aforesaid endorsed, that by vertue thereof he had made known unto Justinian Gerard before Henry Bonner and John Heard good & lawfull men of his bailywick that he should make his personall appearance here att the day and place aforesaid as by the said p^rcept he was comanded Whereupon the said Justinian Gerard being solemnly called appeared by Nehemiah Blackiston his Attorney And whereupon Kenelm Cheseldyn Esq.^r his Lord^{sh}pp Attorney Gen^l on the behalfe of his Lord^{sh}pp offered himselfe against the said Justinian Gerard and desired that the Patent aforesaid for the reasons aforesaid should be adnulled vacated and made void And the said Justinian Gerard by his Attorney aforesaid Said nothing in barre thereof alledged but the Said Patent so surreptitiously obtained as aforesaid to this Court delivered & surrendered Whereupon after due & mature considera^{ti}on had & taken of & upon the P^rmisses And the said Patent & Certificate of Resurvey being duely pondered & considered this Court doe order adjudge & decree the said Patent & all and singular the entryes thereof to be null & void to all intents & purposes whatsoever And that the same Patent be immediately cancelled in open Court by the Hon^{ble} Philip Calvert Esq^r Chancelour of this Province, & that the entryes thereof be vacated upon Record And the same lands into his Lord^{sh}pps hands be seized Which said Patent was in open Court by the said Chancelour cancelled & made void according to the order and decree aforesaid

Edward Williams	} The parties Comp: ^{it} & defend: ^t appearing by		
ag ^t			
Bruen Radford	} theire Attorneyes, & this cause coming to a		
		hearing in the p ^r sence of the Attorneyes on both	
		sides And the bill and Replica ^{ti} on of the Comp: ^{it} & the Answer &	
		Rejoynder Of the Defend: ^t being openly read & heard, & upon	p. 122
		hearing & debateing thereupon & by this Court seriously viewed and	
		considered & hearing what could be alleged on either side this	
		Court was all clearly satisfied that the bill of three thousand Eight	
		hundred pounds of tobacco in the bill of Complaint men ^{ti} oned bearing	
		date the twenty seventh day of January Anno One thousand	
		Six hundred seventy five ought to be delivered upp to the Comp: ^{it}	
		Edward Williams cancelled & made void And that the Defend: ^t pay	
		unto the Comp: ^{it} costs of Suite Itt is therefore this day to witt the	

Liber P C Eighteenth day of June in the third yeare of the Dominion of Charles &^c Annoq Dom One thousand six hundred Seventy Eight Ordered & Decreed by this Court, that the said bill of three thousand Eight hundred pounds of tobacco be delivered upp by the Said Bruen Radford to the said Edward Williams cancelled and made void And that the said Bruen Radford pay unto the said Edward Williams the sume of two thousand two hundred Seventy six pounds of tobacco for his costs in this behalfe laid out & expended.

Charles absolute Lord and proprietary of this province of Maryland and Avalon Lord Barron of Baltimore &^c To our trusty & well beloved Baker Brookes Esq.^r Thomas Taylor Esq.^r Henry Coursey Esq.^r and Benjamin Rozer Esq.^r Greeting Because in the examination of witnessess and the Judgement thereon in the Court Testamentary before our Deare uncle Philip Calvert Esq.^r our Judge for probate of Wills & granting of Administrations w.thin the said province in a Certaine Cause there depending between John Quigley who pretends & aleadges himselfe to be one of the Executors of the last will and Testament of John Deery deceased lybellant and Garrat Vansweringen Administrator of all and singular the goods Chattles rights and Creditts w.^{ch} were of the said John Deery Defend.^t About the Will and Testament of the said Deery w.^{ch} our said Judge in our said Court hath pronounced Null and voyd and the said Deery to dye Intestate. The Said Lybellant Alleadges that the said Judgement is not according to Law to the greate damage as well of the said Quigley as of the other Executors of the said John Deery named and appointed in the said Vacated Will as by the greivous Comp.^{it} of the s.^d John we have received Wee willing that Justice should be duely Executed in all Cases throwout our s.^d Province did hereby Constitute and apoint you or any three or more of you (whereof we will that the Said Baker Brooke be one) To be a Court of delegates for the reviewing and rehearing the said Cause between the said partyes And therefore we have Comanded our s.^d Judge that he before you or any three or more of you as afores.^d at the City of S.^t Mayres the twenty third day of this Instant October all and singular the Records papers and Minuments remayning in his s.^d Court before him touching the s.^d Case That hee distinctly and openly under his hand & seale of office doe send Wee doe therefore Comand you or any three or more of you as Affores^d that the reveiwing rehearing and reexamining the s.^d Cause you diligently intend And to the end there may be noe further Clamour for want of Justice wee Comand you to Call before you as well the s.^d partyes as also the witnessess that were in the s.^d Cause examined before our S.^d Judge and noe others and the said witnessess to the Interrogatoryes already before our s.^d Judge by the said partyes Exhibitted and to

noe others you privately Examine, and after publications of the depositions before you taken to the said Interrogatoryes and hearing the partyes of both sides you doe therein what to Justice shall appertaine and from your sentence and decree therein we will that there shall be noe appeale, But that your Sentence and decree therein shall be finall, w.^{ch} we hereby Comand you to publish by the tenth day of November now next ensueing & we doe hereby authorize and appoynt Charles Boteler Gentl to be register of the s.^d Court who is hereby Comanded, your proceedings herein to transmitt, unto our Deare Cozin William Calvert Esq.^r principall secretary of our said Province of Maryland that the same may be by him enroled and Recorded in our Court of Chancery Records, And that you Administer the oath of Register of the said Court to the said Charles Boteler and that you Comand the said Garrat Vansweringen to be then and there, to hear the same. Wittnesse our selfe at the Cittye of S.^t Maryes the two and twentyeth day of October in the third year of our Dominion &c Annoq̃ Domini 1678

Thomas Notley

At a Court of delegates begun and holden at the Cittye of S.^t Maryes the three and twentyeth day of October in the third year of the Dominion of the Right Hon.^{ble} Charles & : Annoq̃ Dñi 1678

By his Lordpp̃s Justices thereunto Authorized and appoynted Viz^t Baker Brooke Esq.^r Thomas Taylor Esq.^r Henry Coursey Esq.^r Benjamin Rozer Esq.^r Then was the foregoeing Comission read and Charles Boteler sworn Register of the same Court in these words following Viz^t I Charles Boteler doe Swear that I will serve the Right Hon.^{ble} the L.^d Proprietary in the office of a Register of this Court of Delegates true Record will I keep of all such matters as Shall be comitted to my Charge to record and true Coppies will I give to this Court or to there order, when I Shall be thereto required Soe help me god

Memorandum this day came the Right Hon.^{ble} Philip Calvert Judge in the Testamentary Causes and did deliver to this Court severall papers, relating to the pretended last Will and Testament of John Deery deceased w.^{ch} the Court redelivered unto him, and ordered that the s.^d Judge should againe Transmitt the same papers and all other papers and Records any wayes relating to the said last Will and Testam.^t unto this Court under the seale of the office of Administrations upon the twenty sixth day of this instant October by nine of the Clocke in the forenoone

Liber P C Ordered that Cyta^{cc}on Issue out of this Court To Comand John Quigley to appear before this Court upon saturday next to prosecute his Libell of Complaynt ag.st Garrat Vansweringen Concerning the pretended Will of John Deery And Bring w.th him all such witnessses as were heretofore sworne and examined before the Judge of Testamentary causes concerning the said Will of the Said Deery

Ordered that Cita^{cc}on Issue out of this Court to Garrat Vansweringen that hee bee and appear before this Court upon the twenty Sixth day of October Instant to answer unto John Quigleys Complaynt Concerning the pretended last Will and Testament of John Deery deceased.

Then Court adjourned till the twenty sixth day of this Instant October being satturday nine a Clocke in the forenoone.

Att a Court of deligates Held att the City of S.^{tt} Maryes the twenty sixth day of October being satturday in the third year of the dominion of the Right Hono.^{ble} Charles &c Anno^q Domini 1678

By his Lord^{ps} Justices thereunto Authorized and appoynted Viz.^t Baker Brookes Esq.^r Henry Courcey Esq.^r Thomas Taylour Esq.^r Benjamin Rozer Esq.^r Then came the Hono.^{ble} Phillip Calvert Esq.^r Judge in Testamentary Causes Brought here into Court the records and papers under the seale of his office relating to the pretended last Will and Testament of John Deery deceased.

Interrogatoryes formerly Exhibitted unto Nicholas Painter, Edmond Dermott and Richard Daltone by the Hono.^{ble} Phillip Calvert Esq.^r Comissary Gen.^{ll} and Judge for the probate of Wills and granting Administrac^{cc}ons within this Province for the proveing of the last Will of John Deery late of s.^{tt} Maryes City Innholder Deceased

ffirst: Did you know John Deery deceased, how long did you know him, what time did he dye, were you a servant to him at the time of his death, or did you live in the house with him.

secondly: Did you perceive by John Deerys discourse that he had a greate mind to make his Will and did not he tell you soe much did not he Comand you to fetch some person to write his Will and who did he bid you fetch to him and what instructions did you hear him give Nicholas Paynter about makeing his Will, And when the said Deery gave the said Paynter instructions and Directions for makeing his Will was th s.^d Deery of sound memory at the best of you Knowledge, yea or noe, whether you did not hear the s.^d

p. 125 Deery give order to Some persone to fetch one to make his Will

yea or no and who was that person he gave order to And what person he desired should be fetcht to him to make it declare the Truth. Liber P C

Thirdly: Is this paper now shewed you drawne according to such Instructions as John Deery gave to Nicholas Paynter for drawing his Will yea or no and is not this the paper to th^e best of your Remembrance that Nicholas Paynter writt in the Chamber of the s^d Deery for the Will of the said Deery The day he dyed yea or no whether you did not make oath to this paper now shewed you before the Hono.^{ble} Thomas Notley Esq.^r Governour of this province According to what is herein written and signed by your hand declar the truth

Fourthly: Were not you called to make the will of John Deery where were you when you were soe Called who was it soe Called you when you came to John Deery whether he was of sound memory to the best of your Knowledge yea or nay Whether he did not tell you that he Sent for you to make his will yea or nay and whether the paper now shewed you be not your hand writeing yea or nay and whether you drew not the same according to such directions and Instructions as you received from the said John Deery And whether at the time when the s^d John Deery gave you instructions and orders for drawing the said Will you doe not in your Conscience believe that the said Dreery was of sound memory and understanding yea or ney whether that imediately after you had received the said instructions from the said Deery for the drawing the said Will, you did not draw this paper now shewed you in the Chamber of the said Deery yea or nay declare the Truth.

Ridgely p^{cto}.^r for the Lybellant

Crosse Interogatoryes heretofore Administred to Nicholas Paynter a wittness produced on behalfe of John Quigley about the last Will and Testament of John Deery deceased for and in behalfe of Garrat Vansweringen Administrator of the said John Deery before the Judge for probate of Wills &c.

Imprimis Were you sent for by John Deery the day of his death when and at what time of the day were you sent for did he the said Deery Voluntarily speake to you & request you to write his Will, or was he urged or perswaded to it by any other and by whome what argum.^{ts} or words were used to induce him thereunto did he give you instructions and directions what to write for his said Will and what Instructions and directions did he give you did you put such instructions as he gave you into writeing Verbatim from the mouth of the said John Deery and what is become of the same instructions soe by you written and what time did you Take to reduce the same to writeing Declare the Truth therein.

Liber P C Item: Was the Said John Deery at the time you came to him and at the time he delivered to you Instructions by word of mouth Concerning his Will and at the time the same was by you put in
 p. 126 writeing of sound and perfect mind and memory as you doe know or believe or at what time or times was he otherwise was the Agony or paynes of death upon him and did he not rave or talk Idely att the time of giveing the said Instructions what Interlocutory words did hense at the Time of giveing the said Instructions How Long before his death was it he gave the said instructions whether were the said Instructions put into the form of a will and read unto the s.^d Deery and by him approved of in his life time and what distance of time was there between receiveing the said instructions and writinge the fair draught declare the Truth therein.

Item. Did not the said John Deery in and by the Said instructions order you at first to nominate only Ellenor Deery and Owen Quigley Execut.^{rs} w.thout nameing or intending to name the said John Quigley an Execut.^r at first as you could perceive how came the said John Quigley afterwards to be named one of the Execut.^{rs} of the said John Deery was his name interlined in the s.^d instructions and was not the said John Quigley named Execut.^r by the said Deery at the importunity and solicitous Requests and other perswasions of Edmond Dermott and what words or to what effect did the said Edmond Deermott use to the said John Deery for that purpose And what words or expressions did the said John Deery use and in what maner did he speake them when the Said Deery gave way or Consented to have John Quigley put downe for an Execut.^r was the said John Deery of sound mind and memory at the same time when John Quigleys name was ordered or agreed to be put in as Execut.^{or} to his Will as you verily believe or did he the said John Deery rave and Talke Idly imediately before or after & when Declare the truth herein.

Item. Whose name was intended to be inserted in the space or blank left in the draught of the will for overseer was not the said Jn.^o Quigley intended by the said John Deery for overseer of the said Will or who else Declare the Truth herein.

Chr. Rousby p Def.^t

Cross interrogatories heretofore Administred to Edmund Dermott And Richard Dalton Witness produced of behalfe of John Quigley Concerning the last will and Testament of John Deery deceased for and on the behalfe of Garrat Vansweringen Adm.^r of the said John Deery before the Judge for probate of Wills &.^c

Imprimis. Were you present in Company with John Deery the day of his death were you with him when he dyed and how Long were you with him did he Voluntary desire any person and whome

to goe or send for Nicholas Paynter to write his will or did any person move him to it and Who did th^e s.^d John Deery give instructions to the said Nicholas Paynter Concerning his Will in your hearing and what were the said instructions were they immediately put into writing from the mouth of the said Deery and were the same or any draught of a will ever read to and approved of by the said John Deery in his life time. Liber P C

Item. Was the said John Deery at the time when he delivered the instructions Concerning a Will in sound and perfect mind & memory did he not Rave and speake severall Idle and Extravagant words before or dureing the time that he was giving the said instructions What interlocutory words or expressions did he use at the time of giving the said Instructions declare the Truth herein. p. 127

Item. Did John Deery at the first giving of the said instructions order M.^r Nicholas Paynter to put downe Ellenor Deery and Owen Quigley to be his Execut.^{rs} w.thout mentioning John Quigley to be an Execut.^r How came the said John Quigley to be afterwards named as an Executor was it not by importunity and perswasions of some person or persons there present and who was it that soe perswaded him and what Arguments or words were used to that purpose and what answer did the said John Deery make to the same declare the truth herein.

Item. Did not the said John Deery declare his intent that John Quigley should be overseer of his will declare the Truth.

Chr. Rousby p Def^t

The Same day came Edmond Dermott before this Court in obedience to a Cytaccon to him by this Court Directed.

The Examination of Edward Dermott before the Court of Dilegates to the foregoing Interrogatories as foll viz.^t

Edmond Dermott aged Twenty six yeares or thereabouts sworn upon the Holy Evangelists.

1 To the first interrogatory saith that he did know John Deery and had known him Tenn or Eleven yeares or thereabouts that he dyed about the second of december 1677 that he was not a servant to the said Deery at the Time of his death but that he Lived in the house w.th him.

2 To The second Interrogatory That your depon.^t did perceive by John Deerys discourse that he had a mind to make his Will, and that he told this deponent soe much that he desired this deponent to send for one to make his Will your deponent asked who he would have sent for Bloomfeild or Paynter and the said Deery answered those that were next to hand whereupon your Deponent sent to Chilmans for paynter when M.^r Paynter Came in yo.^r Depon.^t

Liber P C Turned all persons out of the Roome only three and afterwards your Deponent asked M.^r Deery whether he knew Paynter or no And Deery said yes I know him very well I am not soe ill as you take me to bee John Deery desired M.^r Paynter to write his Will and bequeathed all he had to Ellenor Deery and Owen Quigley and after a small stopp put in his Cozen Quigley or Cap.ⁿ John Quigley your deponent knows not which That John Deery was of a sound memory to the best of your deponents knowledge and spoke the words playne enough when he gave that directions for making his Will.

3. To the third Interrogatory he Saith that as to the form of words in y^e paper shewed to him he cannot depose, but that he Left all his estate to Ellenor Deery Owen Quigley & John Quigley & that he ordered Paynter to nominate y^e aforesaid persons to be Execut.^{rs} that Paynter was in Deerys Chamber when he wrote the Will about two of the Clock in the afternoon And Deery dyed about seven or Eight of the Clocke the same night That your Deponent made oath to the paper shewed him before y^e Governour.

p. 128

4 To the ffourth Interrogatory he cannot depose.

The Examination of Edward Dermott to the Cross Interrogatories foregoing.

ffirst that your Deponent was present w.th John Deery upon the day of his death and with him when he dyed and for two or three months before That Deery desired your deponent would send for one to make his Will but that noe person moved it to him that the said Deery gave Instructions to Paynter to draw his will and that he ordered his whole Estate to Ellinor Deery and Owen Quigley and after some stopp to John Quigley That the said instructions were immediately put in writeing but that noe draught of a will was ever read to the s.^d Deery in his Life time That the s.^d Deery when he gave instructions for the said will was of a sound and perfect mind but that a Little after your deponent asked him the said Deery who should be overseer of his said will And the said Deery answered stay a Little and Ile tell you but presently thereupon the s.^d Deery fell into A fitt whereof he dyed That the said Deery at the first giveing instructions to Nicholas Paynter did name Ellinor Deery and Owen Quigley to be his Execut.^{rs} and a Little after named John Quigley but was not perswaded by any person Soe to doe as your deponent can remember But did not name John Quigley to be Overseer of his Will.

The Examination of Nicholas Paynter to the interrogatories aforegoeing before the Court of Delegates being sworne upon the Holy Evangelists y^e 26th Day of October 1678.

1 To the first interrogatory saith that the paper shewed him was the will of John Deery and that your deponent proved the same

before the Governour that your deponent did know John Deery and had known him about three years that the said Deery dyed the second day of December that your deponent did not Live in the house w.th him nor was his servant. Liber P C

2 To the second he canott depose.

3 To the third Sayth that the paper shewed him was drawn according to the substance of Deerys instructions and that that paper is the same your deponent wrote in Deerys Chamber the day before Deery dyed and that your deponent swore to the same before the Governour.

4 To the fourth sayth One Sunday about noone of the same day being the second of December 1677 Your deponent was Called by Richard Dalton from Chillmans house to Speake with the said Dalton And by the way your Deponent asked Dalton what the business was, who Told this deponent that the Business was to make Deerys Will, And that Deery was then of sound memory to the best of your Deponents Judgements.

The Examination of Nicholas Paynter to the Cross interrogatoryes afoegoing being sworne upon the Holy Evangelists before the Court of delegates the 26.th day of October 1678.

1 To the first saith that Dalton Came to this deponent and told your depon.^t that Deery sent for him this depon.^t to make his the said Deerys will or words to that Effect and when your Deponent Came into Deerys Chamber where he Lay sicke Deerys face was towards the wall, and Dermott Told Deery that the deponent was Come your deponent asked What he Could doe for him or what he sent for him for or words to the Effect & your Deponent saith that noe person perswaded him to make his Will as your Deponent knows of But that Deery gave instructions to your deponent to write that he the said Deery gave all that he had or what he had or words to that purpose to his sister Ellinor Deery And his Brother Owen Quigley And his Cozen John Quigley But that yo.^r Deponent had no ffoule draught of the said instructions But that he your deponent was about halfe an hour in reducing the same to writing. p. 129

2 To the Second Interrogatory saith that John Deery to the best of this deponents Judgement was of sound memory when he gave this deponent such Instructions to draw his will as aforesaid but before the whole Instructions was reduced to writing the said Deery talked Idely but whilst he was giving Instructions for the said will, that noe interlocutory words were used by him during the Time of giving such instructions as aforesaid This deponent Saith that the said will was not read to the said Deery and that immediately upon such instructions your deponent went to reduce the Afforesaid Instructions into ye forme of A Will.

Liber P C 3 To the third interrogatory saith that the said John Deery at first did order this deponent by his instructions to nominate only Ellinor Deery and Owen Quigley Executors of his said will, without nameing John Quigley And further saith that the Said Edmund Dermott did twice or three times Aske the said Deery whether he would not remember his Cozen Quigley or Cap.^t John Quigley whereupon after some pause the Said Deery Said put my Cozen Quigley or Cap.ⁿ Quigley One of my Execut.^{rs} to have an Equal share w.th the others or words to that Effect and the said Deery to the best of your deponents knowledge was of sound memory when he ordered this deponent to put in the said Quigley to be one of the Execut.^{rs} of the Said will.

4 To the fourth he Canott depose.

Ordered that Cytacon Issue out of this Court for Henry Carew and Elizabeth Manning att the humble request of Garrat Van-swerigen

The Court Adjournes till monday morneing nine of the Clocke.

Att a Court of delegates held at the Cytie of s.^t Maryes upon monday the twenty Eighth day of October in the third yeare of the Dominion of y^e Right Hon.^{ble} Charles &.^c Anog^o Domi 1678

Present Coll: Baker Brookes Esq.^r Coll: Henry Coursey Esq.^r Major Benjamin Rozer Esq.^r Noe witnesses apeareing to be examined by this Court the Court adjournes till to morrow morning nyne of the Clocke being Tuesday.

Att a Court of Deligates held at the Cytie of s.^t Maryes upon Tuesday the twenty ninth day of October in the third year of the Dom.ⁿ of the Right Hono.^{ble} Charles &.^c Anog^o Domi 1678

Present Coll: Baker Brookes Esq.^r Coll: Henry Coursey Esq.^r Maj:^r Benjamin Rozer Esq.^r

Then came Richard Dalton according to Cytacon from this Court to him directed The Examination of Richard Dalton before the Court of Delegates to the Interrogatores fforegoing.

Richard Dalton aged twenty five years or thereabouts sworn upon the Holy Evangelists sayth

p. 130 To the first Interrogatory that this deponent did know John Deery ffor about a twelve month that the said Deery Dyed about five or six A Clock in the Evening upon the second or third day of December 1677 and that your deponent was servant to Cap.ⁿ John Quigley And Lived in the house of the said Deery.

2^d & 3^d To the second and third interrogatory sayth that M.^r Liber P C
Deery sent your deponent for M.^r Paynter to make the said Deerys
will that when Paynter Came Deery gave Paynter Instructions to
make his Will in forme following that is to say I will give my
Estate to my sister Ellinor Deery and my Brother Owen Quigley
and after some stopp or pause being put in mind by M.^r Dermott
To his Cozen John Quigley to be equally devided between them That
Deery was according to the best of your deponents Judgement in
sound memory when he gave Paynter Instructions to draw the s.^d
will.

4.th To the fourth he Cannot depose.

The Examination of Richard Dalton to the Cross interrogatories
aforegoeing.

1 To the first sayth that your deponent was w.th John Deery the
day of his death but not when he dyed that the said Deery sent
your Deponent for Nicholas Paynter to draw his Will, that noe
person mooved the Said Deery soe to doe as your deponent knows
of that the said Deery gave Instructions to Paynter to draw his
will and that he ordered his Estate to be devided Between his sister
Ellinor Deery Owen Quigley and after some stopp being put in
mind of Cap.^t Quigley by Dermott the said Deery said put in my
Couzen Quigley for a share that the said Paynter went immediatly
to write the said will but that there was noe will read to the said
Deery as your Deponent knows of.

2 To the second that the said Deery was of sound memory when
he gave Paynter Instructions and that the said Deery spake noe
Idle words as your Deponent heard that the said Deery used no
interlocutory words as your deponent heard that the s.^d Deery or-
dered Paynter to sett downe Ellinor Deery and Owen Quigley for
his Execut.^{rs} and after some pause John Quigley That the said John
Quigley was put in by the desire or request of Edmond Dermott.

3 To the third that John Quigley was not named as Overseer the
said will as your deponent heard.

The Court adjourns till to morning nyne of the Clocke.

Att a Court of Delegates held att the Citty of stt Maryes
upon the thirtyeyh day of October being Wednesday in the
third year of the Dominion of the Right Hono.^{ble} Charles
&.^c Anos Domi 1678

Present Coll: Baker Brookes Esq.^r Coll: Henry Coursey
Esq.^r Maj.^r Benjamin Rozer Esq.^r

Then Came Elizabeth Manning before the Court of Delegates
according to Cytacon to her directed.

Liber P C Interrogatories heretofore administred to witnesses pduced on the behalfe of Garratt Vansweringen Gen.^{ll} Administrat.^r of the goods Chattles of John Deery deceased to the Lybell of John Quigley of Virginia Marchant Touching the pretended will of John Deery before the Hon.^{ble} the Judge for probate of Wills &c.^c

p. 131 Imprimis: Were you present and in Company w.th the Said John Deery on the day of his death and how Long were you w.th him Doe you know that he the Said John Deery did send for Nickolas Paynter to write his will or did any other person send for him without his Order did he the said Deery Voluntarily give instructions to the said Paynter Concerning the will or did any other person and who, urge or advise him to it, what were the said Instructions were the same writt by the said Paynter and read to and approved of by the said John Deery while he Lived declare the truth herein.

Item. Was the said John Deery att the time of his givinge the said Instructions of sound and perfect mind & memory as you knew or beleived and w.^{ch} induced you to what you doe beleive Concerning the same was the s.^d John Deery in the Agony or paynes of death at the same time and did he not Express severall Idle and extravagant words at that time and what Interlocutory words or Expressions Did he s.^d John Deery use dureing the time that he gave the said Instructions.

Item Did not the said John Deery at first give order unto Nickolas Paynter order to put down Ellenor and Owen Quigley Execut.^{rs} w.thout mentioning or nameing John Qingley at all, till afterwards and how came he Afterwards to be named An Execut.^{or} was it not by the importunity and perswation of Edmond Deermott and what words and perswations did he use for that purpose and what Answer did the said John Deery use or make at that time.

Chr: Rousby p Def.^t

The Examination of Ellizabeth Manning Aged ffive and Thirty yeares or thereabouts sworne upon the holy Evangelists to say the Truth to the first Interrogatory saith.

That your deponent was present w.th John Deery upon the day of his death and about three or four hours that Deery desired your depon.^t to give him that what doe you Call it that what doe you Call it w.^{ch} your deponent did not at first understand but afterwards thought it might be his will And asked him what is it M.^r Deery your will that you want and he said yes that that my will, that after your deponent had asked him as aforesaid M.^r Deery sent for M.^r Paynter when Paynter was Come M.^r Dermott put your depon.^t and her husband out of the roome and we were not out above halfe an Hour when Dermott Came to me and desired me to Come in againe for Deery was A dyeing That he was in no Agony when

your deponent went out of the roome but when your deponent returned he was in an Agony and spoke noe more. Liber P C

The Court Adjourned till to morrow morning being Thursday nine of the Clocke.

Att a Court of Delegates held at the Cyty of S.^{tt} Maryes upon the 31th day of October being Thursday in the third year of the Dominion of the Right Hono.^{ble} Charles &.^c An^oq^o Do^mi 1678

Present Coll: Baker Brooke Esq.^r Coff: Henry Coursey Esq.^r Major Benjamin Rozer Esq.^r

Then came Henry Carew into the Court to be Examined to the last foregoing Interrogatoryes.

The Examination of M.^r Henry Carew to the Last foregoing interrogatoryes sworne upon the holy Evangelists.

To the first interrogatory saith that you deponent was p^rsent with M.^r Deery on the day of his death and that there was Noe will read to him as your deponent knows of. p. 132

2^{ly} To the second that whilst Paynter was a writeing Deery was in an Agony of death and out of his Sences to the best of your deponents Judgement and expressed severall Idle foolish words duren^g the said Time.

3^{ly} To the third he Cannot depose.

Ordered that the Register give Coppies of all and every one the Examinations before this Court taken to such persons as shall require the same And that the partyes by their p^rctors or Agents Come to Tryall on saturday next at one of the Clocke in the Afternoone.

The Court Adjournes till saturday next one of the Clock afternoone.

Att a Court of Delegates held at the City of S.^{tt} Maryes upon the second day of November being saturday in the third year of the Dominion of the Right Hono.^{ble} Charles &.^c An^oq^o do^mi 1678.

Present Coff: Baker Brookes Esq^o Coll: Henry Coursey Esq^o Maj.^r Benjamin Rozer Esq^o The same day Came John Quigley Esq^o Robert Ridgely his p^rcurator and Garrat Vansweringen By Christopher Rousby his p^rcurator into this Court and haveing been fully heard on both sides the Court Adjournes till Wednesday next to advise upon the premisses.

Liber P C

Att a Court of Delegated held at the Cyty of s.^{tt} Maryes
upon the sixth day of November being Wednesday in the
third year of the dominion of the Right Hono.^{ble} Charles
&.c Anoꝝ Domini 1678

Present Coff. Baker Brookes Esqꝝ Coff: Henry Coursey
Esqꝝ Maj.^r Benjamin Rozer Esqꝝ

The same day it was ordered that Coff: Henry Coursey And Maj.^r
Benjamin Rozer shall and are hereby appoynted and Authorized To
tax such Costs as shall be to be Taxed in this Court and that the
same soe by them Taxed shall be as substantially vallyd as if all the
Judges of this Court had done the Same.

The same day it was Ordered that Charles Boteler Register of the
Court shall and is hereby impowered to signe the records of this
Court And also all decrees w^{ch} shall be by this Court made And
decreed And that the same soe by him signed shall be as substantiall,
and Vallyd as if the Judges of this Court had signed the same.

Att w.^{ch} day came before the said Court of delegates appoynted
as aforesaid for reviewing rehearing and reexamming the said
Cause as well the said Libellant John Quigly by Robert Ridgely
his ꝑcurator as the said Garrat Vansweringen by Kenelme Chisel-
dyne Esqꝝ his ꝑcurator and upon full and Mature Deliberaçon and
advisement of And upon the premisses this Court haveing fully
and thorowly weighed and Considered the evidences of both sides and
y^e pleadings thereupon And being all Clearly satisfied therein doe
pronounce publish and declare their finall sentence Judgement and
decree as followeth That is to say that the said John Deery did not
dye Intestate, but that the words by him spoken (viz) I give all that
I have to my sister Ellinor Deery my Brother Owen Quigley and
my Cozen John Quigley and doe make them my Execut.^{rs} doe amount
to a Nuncupative will And the said Deery was of a sound disposing
Mind at the Time of the speakeing Thereof The Court therefore
Order Judge and decree These words soe spoken by the said Deery
to be the Last will of the said Deery and that the said Ellinor Deery
Owen Quigley and John Quigley are the Execnt.^r of the said John
Deery And that the Said Garrat Vansweringen pay unto the said
John Quigley the sume of seven thousand seven hundred ninety
seaven pounds of Tobacco for Costs allowed the said John Quigley
ffor his Charges in this behalfe Expended

signed p.^r order of the Judges
of this Court of Deligates
Charles Boteler Regist^r

Att a Court of Chancery held att the Citty of S.^t Maryes
the Seventeenth day of October in the third yeare of the
Dominion of the right Hon.^{ble} Charles &c Annoq Doni
One thousand Six hundred Seventy Eight Present

Liber P C

The Hon.^{ble} { Philip Calvert Esq.^r Chancelour
W.^m Calvert Esq.^r Principall Seery
Thomas Taillor Esq.^r
Henry Coursey Esq.^r

Nic. Painter Ct

Bernard Johnson Comp^{lt} } Between Bernard Johnson Comp^{lt} and
ag^t } John Abington Defend^t This cause come-
John Abington Defend^t } ing on in the Docquet of causes this day
to be heard and debated in the presence of Robert Ridgley Attorney
for the Comp^{lt} and George Parker Attorney for the Defendant And
the Comp.^{lts} bill and Replicacon and the Defend.^{ts} Answers being
openly read and heard and upon hearing and debateing thereupon,
That the said John Abington had } and hearing what could be al-
noe Right nor Title in Law to the } leadged on either side, itt did
aforesaid Tract of Land And itt } sufficiently appeare and the whole
being sufficiently proved to the } Court were fully satisfied that the
Court here. } said John Ablington did asume
upon himselfe and faith fully promise the Comp.^{lt} that if the said
Comp^{lt} would stand Tryall with the heyres of Thomas Letchworth
deceased for the Tryall of the Title of the said Land and should
thereupon be Ejected that then hee the said John Abington would
repay unto the said Johnson the purchase money for the said Land
only deducting thereout, so much as the said Abington had really paid
in purchasing of rights surveying and Pattenting the said Land,
which being deducted, itt appeared to the Court here that the said
Johnson had paid unto the said Abington Thirteene hundred sixty
Two pounds of Tobacco in part of the purchase of the said Land,
Over and above all the said Abingtons disbursements as aforesaid,
And doth therefore thinke fitt and soe Order adjudge and Decree
that the said John Abington deliver upp Cancelled and made Void
unto the said Bernard Johnson the aforesaid bill of seaven thousand
One hundred sixty seaven pounds of Tobacco And alsoe that the
said John Abington repay unto the said Bernard Johnson Thirteene
hundred sixty two pounds of tobacco which he the said Johnson
formerly paid unto the said Abington in part for the purchase of the
said Land Together with five thousand seaven hundred Ninety four
pounds of Tobacco for Costs of Suite taxed by the Hon^{ble} the Chan-
cello.^r which said bill of seaven thousand One hundred Sixty and
seaven pounds of Tobacco George Parker Gentl Attorney for the
said John Abington did in open Court asume to deliver upp unto
the said Johnson Att the next Provinciaall Court

p. 134

Liber P C

Maryland ss Att a Court of Chancery held att the City
of Saint Maryes the seaventeenth day of Octob.^r in the
third yeare of the Dominion of Charles &c Annoq; Domi
One thousand six hundred seaventy Eight p^sent

The Hono ^{ble}	{	Philip Calvert Esq. ^r Chancello ^r
		W. ^m Calvert Esq. ^r Secry
		Thomas Tailor Esq. ^r
		Henry Coursey Esq. ^r

Between Bernard Johnson Comp.^t & John Abington Defend^t

This cause coming on in the Docquet of causes this day to be heard and debated in the p^sence of Robert Ridgely Attorney for the Comp.^t and George Parker Attorney for the Defend.^t the substance of the Comp.^t's bill appeared to be That the said Bernard Johnson in or about the Thirteenth day of february in the yeare of our Lord One thousand six hundred seaventy One haveing Certaine Communication with the said John Abington about the purchase of a parcell of Land Called Gloucester Hall lyeing in Calvert County On the south side of Petuxent River Containing by survey Three hundred and seaventy Acres, the said Bernard did bargaine and agree with the Said Johnson for the said Land for six thousand pounds of tobacco, the said John assuringe the said Bernard that he had a good right and title to the same And that the Said Bernard for the performance thereof did passe bill payable to the said Abington for seaven thousand and odd pounds of tobacco, to say six thousand thereof for the Land and the remainder for goods bought of the said Abington, which said bill the said Abington put in suite, and that the said Johnson and Abington did thereupon come to an agreement and the said Johnson passed his bill for seaven thousand foure hundred twenty and foure pounds of tobacco And the said Johnson And the said Johnson in the said bill of Complaint further shewed That upon his passing his first bill to the said Abington the said Abington drew upp a Certaine Condiçon in writeing, therein reciteing that he did agree to sell the said Johnson Only all his right and title to the said Land, with a clause of reentry upon nonpayment of the s^ume six thousand pounds of tobacco in part of a bill for a bigger S^ume, and that the said writeing was barely under the hand of the said Abington And further shewed that the said Land is claimed by the Orphants of Thomas Letchworth deceased, And that he the said Johnson hath laid out and expended in building fencing and cleering in and upon the same Twenty thousand pounds of tobacco and that about Two yeares since Elizabeth Letchworth Widdow of the said Thomas Letchworth and Guardian to the Orphants of the said Thomas Claimed the said Land in right of her Children and warned the said Johnson off the same and thereupon the said Johnson proffered him the said Abington the remaining part of the

purchase Tobacco, Provided hee would secure unto him a good title thereunto, which the said Abington refused alleading that he only sold him the said Johnson Only his right and title to itt, and that he was not bound to secure him, but that he expected and demanded the payment of the remainder of the Tobacco which the said Johnson refused untill he should have a good title made him to the premises by the said Abington And that the said Abington hath not only refused to make the Comp^l a good title to the said Land, or to repay him back what he hath allready paid him for the said Land, and to make Him satisfac^on for what he hath expended and laid out in building fenceing &c in and about the same And that the said Abington hath unconscionably comenced his action against the Comp.^l in the Provinciaall Court for the Summe of Seaven thousand Six hundred forty two pounds of tobacco the bill passed to the said Abington as aforesaid And that the Comp.^l hath allready paid the said Abington Three thousand four hundred twenty four pounds tobacco in part of the bill aforesaid And that the Abington will without relieved in this Hon^{ble} Court by the strict Rules of the Common Law gett Judgement against the Comp^l for the whole sume of the Comp.^l not being able to prove payment of the said Three thousand four hundred twenty four thousand pounds Tobacco And that the Comp.^l is wholly remediles by the Strict rules of the Common Law not being able to prove his bargain about the said Land, and being only & properly relievable in this High and Hon^{ble} Court And that he humbly hopes that this Court will Decree and order the said Abington fully to satisfie and pay the Comp.^l not only what he hath paid him in and towards the purchase of the premisses And all Summes as the Comp^l hath expended and laid out in and upon the same together with his damages sustained thereby But alsoe that the said bill of seaven thousand six hundred forty two pounds of tobacco now in the hands of the said Abington to be delivered upp and Cancelled, and that the said suite might be stayed by injunction And that the said Abington might have answere make to the premisses and the Comp^l relieved therein according to Equity, he humbly, craved that proces of Subp^a might be awarded out of this Hon^{ble} Court against the said John Abington to appeare and answer the premisses, the which being granted and the said John Abington therewithall served who appeared accordingly and putt in his answer to the said bill and thereby amongst other things did sett forth that in or about the Month of _____ in the yeare of our Lord One thousand six hundred and seaven the Comp^l came to the Defend.^{ts} house in Petuxent River, and told the defend.^t that knew of a parcell of brave rich and good Land which had layen dormant a long tyme not farr from the Defend.^{ts} Land And that itt had never bin surveyed or taken upp by any person And that if the Defend.^t would take the same upp in his owne name and afterwards sell the

Liber P C same to the Comp.^{lt} itt would be a Very great Courtesie to the Comp.^{lt} and he the Comp.^{lt} would pay him for his Charges in buying rights and proveing the same and in Surveying and Patternting the same and other Charges thereabouts and for courtesie he takinge the same upp a Considerable quantitiy of tobacco And that before the Comp.^{lt} would acquaint the Defend.^t where the Land lay, he caused the Defend.^t to make him a promise and engagem.^t to sell him his right and title of the said Land when Patternted And that when the Comp.^{lt} had made the Defend.^t acquainted where the land lay and had shown the Defend.^t and M.^r Charles Boteler then Deputy surveyo.^r some marked trees which he said was the utmost bounds of a Tract of Land called Brooke Court to which the land lay adjoynd, that the Defend.^t demanded of the Comp.^{lt} if that Land was not part of Brooke Court formerly Granted to Robert Brooke Esq.^r he the Comp.^{lt} positively affirmed itt was not, and desired the Defend.^t but to take itt upp and Patten itt in his owne name and assigne but his right and title to the Comp.^{lt} itt would be sufficient for him And that the Defend.^t needed not trouble himselfe about the title of the Land or the bounds thereof that he the Comp.^{lt} would runn the hazard of all other person or persons as should Clayme any right or Title to the said Land, which the Comp.^{lt} said he could not take upp himselfe because he was not naturalized being a Dutchman borne and that thereupon the Defend.^t did att the sollicita^on of the Comp.^{lt} and meerely to doe him a kindness procured the said Land to be Surveyed and Patternted in his the Defend.^ts owne name And did in persuance of the agreement between the Comp.^{lt} & Defend.^t by a writeing under their hands bearing date the Thirteenth day of ffebruary One thousand six hundred seaventy One for the Considera^on therein Expressed bargaine sell assigne and sett over all his Right Title and interest to the said parcell of Land, with a Clause of reentry thereunto upon the non payment of six thousand pounds of tobacco to the Defend.^t or his assignes And the Defend.^t further saith that the said Land was att the Comp.^{lt}s request Patternted in the Defend.^ts name And that he denied that ever told the Comp.^{lt} that he the said had a good right and title to the said Land and would make the Comp.^{lt} a good Estate of the same, or that the Defend.^t did ever perswade the Comp.^{lt} to buy the same And that the Defend.^t did take the same upp att the Comp.^{lt}s request, and was by agreem.^t what Patternted to sell the same to the Comp.^{lt} as aforesaid And that he Confesed that he sold the same to the Comp.^{lt} for six thousand pounds of Tobacco And that the Comp.^{lt} being indebted to the Defend.^t in Eleven hundred sixty seaven pounds of tobacco more passed bill to the Defend.^t for seven thousand One hundred sixty seaven pounds of tobacco And that the Comp.^{lt} not paying according to his bill put the same in suite And the Comp.^{lt} being then not

able to pay the said seven thousand One hundred sixty seven pounds tobacco & importuning the Defend.^t to forbear him a little longer the Defend.^t was Content upon his promise to make good pay the next yeare and to pay the Costs of suite which Came to foure hundred seventy five pounds tobacco to surcease the suite. And that thereupon the Comp.^{lt} did forthwith by his bill bearing date the Eighteenth day of Octobr in the yeare of our Lord God One thousand six hundred seaventy and three became bound to the Defend.^t in y^e sume of Seven thousand six hundred forty two pounds of tobacco And that the Comp.^{lt} hath paid thereof to the Defend.^t Three thousand five hundred and sixteen pounds of tobacco & no more And the Defend.^t further said that the Comp.^{lt} did perswade him to Pattent for him the Comp.^{lt} the said Land which was formerly taken upp and was agreed to be sold to the Comp.^{lt} as aforesaid And that was only intended by the writeing aforesaid that the Defend.^t should only sell all his Right and Title to the said Land and premisses with warranty only against the Defend.^t and his heyres and Clayming by from or under him And that the Defend.^t did never pretend that he had sufficient right to sell the same And that he knew not that the same belonged to the heyres of Letchworth or that the Defend.^t even aymed att any fraud to deceive the Comp.^{lt} or had even medled with the Land if not att the Comp.^{lt}s request And Confessed that the Comp.^{lt} in or about the Month of December One thousand six hundred seventy six Came to the Defendants house att Petuxent and told him that if he would take One thousand five hundred pounds of tobacco in full satisfaccō of the said Bill he would pay itt to him and no more And that he allwayes was and still is ready and hath made sealed and delivered allready for the use of the Comp.^{lt} a Conveyance of the said land and all his right and Title to the same with warranty only against himselfe & all Clayming by from or Under him and noe otherwise according to the said agreem.^t betweene the Comp.^{lt} and Defend.^t And that the Comp.^{lt} Undertooke to runn the hazzard of the Title if the Defend.^t would sell to him the said land, And soe with the Generall Traverse he Concluded his Answer, to which answere of the said Defend.^t the Comp.^{lt} replied And the said Cause standing att issue ready for a hearing And upon reading of the said bill and Answer and the severall deposiçōs taken in this cause and all other proofes and papers touching the same itt did sufficiently appeare and the whole Court were fully Satisfied that the said John Abington had noe Right nor Title in Law to the aforesaid Tract of Land And itt being Sufficiently proved to the Court here that the said John Abington did assume upon himselfe and faithfully promised the Comp.^{lt} that if the said Comp.^{lt} would stand Tryall with the heyres of Thomas Letchworth deceased for the Tryall of the Title of the said Land and Should thereupon be Ejected that then he the said John Abington would repay unto

Liber P C the said Johnson the purchase money for the said Land only deducting thereout, soe much as the said Abington had really paid in purchasing of rights Surveying and Patterting the said Land, which being deducted, itt appeared to the Court here that the said Johnson had paid unto the said Abington Thirteene hundred sixty two pounds of tobacco in part of the purchase of the said Land, Over and above all the said Abingtons disbursements as aforesaid, And doth therefore thinke fitt and soe order adjudge and Decree that the said John Abington deliver upp Cancelled and made Void unto the said Bernard Johnson the aforesaid Bill of seaven thousand one hundred sixty seven pounds of Tobacco And alsoe that the Said John Abington repay unto the said Bernard Johnson Thirteene hundred sixty two pounds of tobacco which he the said Johnson formerly paid unto the said Abington in part of the purchase of the said Land Together with ffive thousand seven hundred Ninety foure pounds of Tobacco for Costs of suite Taxed by the Hon^{ble} the Chancello.^r which said bill of seaven thousand One hundred sixty seaven pounds of tobacco George Parker Gent^l Attorney for the said John Abington did in open Court assume to deliver upp unto the said Johnson Att the next Provinciall Court

John Haslewood & Anne ux Comp ^{lts}	} This cause coming on in the Docquett of Causes this day to be heard & Debated in the
ag. ^t	
Benjamin Granger Def. ^t	

in the presence of Robert Carville Attorney ffor the Comp.^{lts} & Robert Ridgley Attorney for the Def^{ts} upon Bill and Answere which being openly read & heard & upon hearing & debateing thereupon & hearing what could be alleadged on either side this Court was all cleerly satisfied that the said John Avery de^{cd} did in his lifetime Lend to & entrust the said Benj.^a Granger with Severall Quantitys of Goods & divers Sumes of money And doth therefore thinke fitt & soe order Adjudge & decree that the Said Benj.^a Granger doe forthwith pay unto the said John Haslewood & Anne his wife Ex^{rs} as aforesaid the Sume of ffoure & Twenty pounds Lawfull money of England and together with Three Thousand Three hundred ffifty & five pounds of Tob Cost of Suit

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At a Court of Chancery held at the City of S.^t Mary's
the Seaventeenth day of October in the Third yeare of the
Dominion of Charles &c. Anno^q Dni 1678 Present

The Hon. ^{rble}	{	Philip Calvert Esq. ^r Chancell. ^r
		W. ^m Calvert Esq. ^r Princ ^{tl} Secrij.
		Thomas Tailor Esq. ^r
		Henry Coursey Esq. ^r

Betweene Jn.^o Haslewood & Ann his wife Ex.^{rs} of the Last Will & Testam.^t of John Avery deēd Comp.^{ts} & Benj.^a Granger Def.^t This Cause coming on in the Docquett this day to be heard & debated in the p^rsence of Robert Carville Attorney for the Comp.^{ts} & Rob^t Ridgley Attorney for the Def.^{ts} the Substance of the Comp.^{ts} Bill appeares to be That the said John Avery the former husband of the said Ann in the Month of May in the yeare of our Lord One Thousand Six hundred Seaventy Six intending a voyage for England about his then urgent affairs there & Such his inten^cōs being made Knowne to the said Benj.^a Granger who had married the daughter of the said Jn.^o Avery he the said Benj.^a Granger became an earneast Sueter & Solicit^r to the said John Avery that he & his wife might accompany him the said John Avery in that voyage he the s^d Benj.^a Granger p^rtending he had some considerable Estate befallen him in England & without the Said Jn.^o Avery's assistance in procuring a passage for him & his wife & paying for the Same he could not goe to looke after his said Estate And that if the said John would doe him that kindness he the said Benj.^a did not onely promise to repay what he should Lay & disburse for him the same Benj.^a Granger & his wife but alsoe that they would be very Serviceable to him in assisting him both in his passage aboard the Shipp as alsoe in England in what he should Comand them And thereupon the said John Avery was perswaded to take the s^d Benj.^a Granger & his wife along with him into Virgenea where the Shipp they were to goe in Lay at Anchor & tooke them on board & paid their passages to Cap.^t Abraham Wheeler Comander of the said Shipp Three pounds Sterl. & Lent the Said Benj.^a One pound Sterling to keepe his pockett when he came for England And further sett forth that they being safely arrived in England & the s^d Benj.^a finding himselfe ffrustrated in his Especta^cōs he the sd Benj.^a Granger & his wife desired the Assistance of their said ffather the said Jn.^o Avery who out of Love & kindness to them took Lodgeings for them & paid for the Same from the Twentieth day of June One Thousand Six hundred Seaventy & Six till the ffoure & Twentieth day of Novemb.^r ffollowing Att which time they came on board the Shipp for their returne to this Province And that the said John Avery haveing received a Considerable Summe of Money in England he entrusted the said Benj.^a Granger Sometimes with the keepinge thereof & Laying out severall Summes for him & lent him money to buy himselfe & wife & Serv.^t & Clothes & for the paying of his passage for him & his wife & two servants & entrusted him with Severall Goods of a Considerable value a perticuler whereof which by accident they ffound under the hands of the sd Benj.^a Granger they have ready to produce And also with severall other Sumes of money & Goods to a

Liber P C great value & to the Comp.^{lts} unknown in And they further sett forth that the said John Avery dyed before he came on shore Leaving all his money & Goods in the possession of the Said Benj.^a Granger
 p. 139 hee The said Avery haveing first made his will & the sd Ann Ex^r And that the sd Benj.^a Granger being come home the sd Ann demanded of him an Acc.^t of the sd Money & Goods or satisfacōn for the sume & to acquaint her with what other Goods or money he have in his Custody belonging to the said Avery which he absolutely denied & refused to doe & Shewing him the writeing w.^{ch} was written with his owne hand of the p^ticuler disburse^{ts} the sd Avery had disbursed for Him & the Goods he had entrusted him with as aforesd & Coppy whereof was thereunto annexed he the sd Benj.^a Granger knowing he had onely writt the said Acc.^t by Jn^o. Avery's order but had not viewed the same under his hand & that those transacōns betweene them was done in private And that the said John & Anne Could not make anything plainly appeare ag.^t him did positively deny that he had or received of the said John Avery any of the Goods or Sumes of Money aforesaid or any other Goods or money whatsoever or if he did that he had accounted for the Same & paid the sd John Avery for the same & that the said John & Ann being now intermarried & by vertue thereof in right of the said Ann intituled to see much Goods & money as remains in the hands of the Said Benj.^a Granger of & belonging to the Estate of the said John Avery the better to enable them to performe the will of the said John Avery & pay his Just & due debts & they haveing received very credible informaōn by severall Persons that the sd Benj.^a Granger hath Severall Sumes of money & goods of John Avery's in his hands that they have often by themselves and ffrinds requested the said Benj.^a Granger to come to an Acc.^t with them and without further Suit or trouble to deliver unto the Comp.^{lts} what he hath of the sd John Averys in his hands he hath & absolutely denied & refused to doe the same contrary to equity & good Conscience to an apparent breach of trust being by the said ffather in Law entrusted entrusted as aforesd & to the great hindrance of the Execuōn of the sd Deēd Last will & Testam.^t Therefore & for as much as the Comp.^{lts} have no meanes at & by the strict Rules of the Coñon Law to enforce a discovery of such Clandestine frauds & transacōns & trusts as aforesaid the Comp.^{lt} not being able to make such prooffe of the Peticuler goods & sumes of money to him delivered by the said John Avery & intrusted with him as the Law requires and the witnesses that should prove the p^ticuler paym.^{ts} of the Severall Sumes of money by the said John Avery Laid out & expended for him & menōned in the Schedule to the sd Bill of Comp.^{lt} annexed are in remote parts in England or elsewhere out of the

Jurisdic^{co}n of this province & noe other ways to be releived in the p^rmisses touching the discovery of the p^rmisses aforesaid Save in this hono^{ble} Court And for discovery of the truth of the p^rmisses they humbly craved the Aid & Assistance of this Hon^{ble} Co^{rt} and that p^rces of Subp.^a might be thereout awarded ag^t the said Def.^t for him to appeare to answer the s^d Bill To which Bill of the s^d Comp.^{lts} the s^d Def.^t appeared & putt in his answre thereunto & did thereby sett forth that he marryed the onely daughter of the s^d John Avery de^{cd}ed And that the said John Avery haveing before his death bin about out of England fifteen or sixteen yeares & had one Son named John Avery whom he left in England to be brotd up with James Avery his brother And the said John Avery the Son & Brother to Ann the def.^{ts} wife in the yeare One thousand Six hundred Seaventy & five writt to this def^t & advised him that his unkle James had a desire to see this Def.^{ts} wife whereupon this def.^t agreed with & paid Cap.^t Walter Seaswife for his wifes passage & Sent her home to her said Unkle that the next yeare after the said John Avery the Son desirous to See his ffather tooke his Passage to come into this province but dyed at Sea And that John Avery the ffather heareing thereof & of the death of James Avery his Brother in England And that the said James had left the said John Avery the Son ffive hundred pounds Sterl & two thirds of his household goods the sd John Avery the ffather ffinding & aforegoeing the news to be true made an Agreem.^t with this Def.^t to goe together that p^rsent yeare for England in Cap.^t Wheelers s^p to looke after the business & to Share what was left as afore^{sd} equally betwene them lett the right belong to which of them it Should After which The Said John Avery & this Def^t went for England together in Cap.^t Wheelers Shipe where they were advised that the Estate being onely Personall belonging to the said John who forthwith administered thereon And being arrested & impounded for the Legacy & goods aforesaid for which the said John Avery recev^d two hundred pounds Sterl ready downe & three bonds of one hundred pounds Sterl apeice for money due out of the Excheq^r And that the Sain John Avery doubt^d after he had Compounded for his debts in England & paid Attorneys ffees had remainening Sixty pounds ready money & two hundred in the Excheq^r which he Laid out in Linnen woollen & other necessities & paid for the passage of himse^{lf}e & one serv^t maid And this Def^t further Shewed that the said John Avery desired this def.^t & his wife to returne with him for Maryland and that he this def^t should not onely have halfe but all that he had when he dyed And thereupon the said John Avery gave this def.^{ts} wife money to buy what she had occasion for but how much this def.^t Denys that he knows and that the s^d John Avery

p. 140

Liber P C promised this def.^t that he & his wife should not want nothing that he had And that the said Def.^t upon those faire termes proposed as aforesaid agreed with Cap.^t Walter Dunch for the passage of himselfe wife & one woeman serv.^t And the said John Avery for himselfe & one woeman serv.^t And that the said Shipe being stayed as Graves Ende by an Embargoe the Said John Avery hearing of a writt taken our ag^t him out of the high Co.^{ty} of Admiralty made a deed of Gift to the said def^t of all his Goods on board the said Shipp & delivered one pewter dish in the name of the whole with the deed And that the said John Avery came on board the said Shipp at the downes And the said John Avery at sea demanded of the said Def.^t the said Deed of Gift which he refused to deliver And the def.^t further Sheweth that being sick he the s^d John broke open the Said Def.^{ts} Chest in the night & tooke out all his writings And that afterwards arriveing in this province all the Goods were Landed at the said Averys house and that the said Def.^t delivered to the said Avery whatsoever he claimed to be his And denieth that the said John paid for the passage of the def^{ts} wife for England And further shewed that the said John Avery's and the said Def.^{ts} Passage were paid for England out of the money recovered as aforesaid And Confesses that his wife had Severall times money out of the money recovered in England but denieth that he knows what sume And the said Def.^t Denies that he ever rec^d of the said Avery the value of Twenty shillings more then what he p^sently repaid him And that the said John Avery did never entrust him with all the goods men^toned in the said Schedule but what the said Avery claimed as his due he delivered them to him And the said Def.^t utterly denyes that he ever was a suitor to the said Avery to goe with him for England or that ever he p^tended any Estate to be fallen unto him but that he went with him the said John Avery upon the grounds & motives before men^toned & noe other Denieth that the said John Avery Lent him one pound sterl. to putt in his pockett And the said def^t utterly denyes that the said John Avery took up Lodgeings for him & his wife or paid for the same or that ever the said Avery did entrust him with the keepinge of any sume or sumes of money whatsoever or that the Said Avery Lent him money to buy Cloths for himselfe wife & Serv.^t or for the paying of his owne his wives & two Serv.^{ts} passages or that the same Schedule or any Coppy or transcript thereof was either of the hand writeing of the said Def.^t And denieth that he hath one ffarthing of the said Averys money or Goods in his hands or that he was indebted to the said Avery or his Ex.^{ts} one farthing or the value of a ffarthing And saith that the goods men^toned in the Schedule aforesd are most of them in the Inventory of the said Averys Estate or at Least ought to have binn as by the sd Bill & Answere remaining upon Record

in this hon.^{ble} Co.^{rt} rela^{ti}on being thereunto had more fully & more at large & it doth and may appeare And the said Cause standing at Issue ready for a heareing and upon reading the Comp.^{ts} Bill & the Def.^{ts} Answere the Examina^{ti}ons of wittnesses & all other proofes & papers touching that cause & heareing what was or could be alledged by the parties or theire Councell on either Side this Court was all theorely satisfied that the said John Avery de^{ce}d in his life time did Lend to & entrust the same Benj.^a Granger with severall quantities of goods & divers s^umes of money and doth therefore thinke fit & soe ord.^r adjudge & decree that the said Benj.^a Granger doe forthwith pay unto the same John Haslewood & Ann his wife Ex.^{rs} of the aforesd John the sume of Twenty & foure pounds lawfull money of England together with Three Thousand Three hundred fifty five pounds of Tobacco Costs of Suit taxed by this Court Wee doe therefore hereby strictly charge & Comand you the sd Benj.^a Granger as all every the paym.^{ts} matters & things in the said finall Judgem.^t or decree men^{ti}oned Specified & Contained Soe farr forth as the Same or any of them doe in any ways touch or concerne you you doe well & truely observe p^{er}forme pay fulfill & keepe to all intents & purposes according to the teno.^r & true meaneing thereof And that you pay unto the Comp.^{ts} or theire Assignes the said S^ume of Twenty & foure pounds of Lawfull money of England together with Three Thousand three hundred fifty five pounds of Tobacco Costs of Suit And this you are in noe wise to omitt und.^r the penalty thereupon ensuenig Witnes ourselfe at our Citty of S.^t Mary's the Tenth day of December In the fourth yeare of our Dominion over our said province Annoque dni One Thousand Six hundred Seaventy Eight.

John Browning	}	Ordered that the Defend. ^{ts} putt in their Answer to the Comp. ^{ts} bill by the next Court.
ag. ^t		
Andrew Peterson & Geo: Oldfield		

Humphrey Jones	}	The Defend. ^t haveing putt in his Answer to the Comp. ^{ts} bill Ordered that the Comp. ^{ts} putt in his execptions or replicac ^{ti} on to the Defend. ^{ts} Answer by the next Court.
ag. ^t		
Jno: Coode		

Stephen Burle	}	Ordered that unlesse the Defend. ^t file his Answer to the Comp. ^{ts} bill within twenty dayes after the end of the next Gen. ^{ll} Assembly, that an Attachm. ^t issue forth against him the said Defend. ^t
Robert Burle		
ag. ^t		
Tho: Marsh		

Liber P C

Liber P C Eliz.^a Beck & al } The Comp.^{ts} haveing filed their bill of Revivor
 p. 142 ag.^t } this Court (Richard Beck being dead) Itt is or-
 George Godfrey } dered that publica^on passe by the last day of
 December next, And that this cause come to a hearing the next
 Court.

Tho: Bland & }
 Damoras ux } This cause is continued untill next Court
 ag.^t }
 Edw.^d Dorsey & ux }

Cadwallader Jones & Samuel }
 Leadbeater } Ordered that publica^on passe the
 ag.^t } next Court.
 Tho: Carlisle & Jn.^o Watson }
 Ex.^{rs} Jn.^o Cunningham }

Att a Court of Chancery held att the City of S.^t Maryes
 the fourteenth day of March in the fourth year of the
 Dominion of Charles Lord Baltemore &c Annoq̄ Doni
 One thousand six hundred seventy Eight

Present

The Hon.^{ble} { Philip Calvert Esq.^r Chancelour
 W.^m Calvert Esq.^r Princ.^{ll} Secretary
 Baker Brooke Esq.^r Survey.^r Gen.^{ll}
 Benjamin Rozer Esq.^r }

John Browning }
 ag.^t }
 Andrew Peterson }
 & Geo: Oldfield }
 Humphry Jones }
 ag.^t }
 John Coode } These foure causes are continued untill the
 Stephen Burle Ex.^r } next Court
 Robert Burle }
 ag.^t }
 Tho: Marsh }
 Eliz.^a Beck & al }
 ag.^t }
 Geo. Godfrey } }

John Quigley ag. ^t	}	These two causes are continued untill next Provinciall Court
Garret VSweringen		
Cadwallader Jones & Sam. ^{ll} Leadbeater		
ag. ^t Cunninghams Ex. ^r		

Thomas Bland & ux ag. ^t	}	Ordered that publicaçon passe in this cause fourteen dayes before the next Provinciall Court, And that this cause then come to hearing
Edw. ^d Dorsey & ux		

Att a Court of Chancery held att the City of S:^t Maryes
the seventh day of June in the fourth yeare of the Dominion
of Charles Lord Baltemore &^c Annoq Dom One thousand
six hundred Seventy nine

Present

The Hon ^{ble}	{ Philip Calvert Esq: ^r Chancellour
	{ W. ^m Calvert Esq: ^r Principall Secretary
	{ Benjamin Rozer Esq: ^r
	{ Vincent Lowe Esq: ^r Survey. ^r Gen. ^{ll}
	{ Lieu: ^t Coll Henry Darnall
	Nic: Painter Reg

John Browning ag. ^t	}	This cause is continued untill next Court
Andrew Peterson &		
Geo: Oldfield		

Humphrey Jones ag. ^t	}	}	These three causes are continued untill next Court
John Coode			
Stephen Burle Ex. ^r	}		
Robert Burle ag. ^t			
Tho: Marsh			
Cadwallader Jones & Sam. ^l Leadbeater ag. ^t	}		
Tho: Carlisle & Jn. ^o			
Watson Ex. ^{rs} of Jn. ^o Cuningham			

Liber P C	Elizabeth Beck & al	}	These seven causes are continued untill next Court
p. 144	ag. ^t		
	George Godfrey		
	Vincent Lowe Esq. ^r		
	ag. ^t		
	John Quigley		
	Joseph Tilley		
	ag. ^t		
	Geo: Parker		
	Hugh Merrikin		
	ag. ^t		
	James Rigby		
	Luke Barber		
	ag. ^t		
	Jn. ^o Blomfield		
	Geo: Parker		
	ag. ^t		
	James Chilcott		
	Lymon Irons		
	ag. ^t		
	Richard Royston		

John Quigley	}	The Defend. ^t haveing filed his Answer to the Comp. ^{lts} bill & the Comp. ^{lt} haveing filed his replicacon to the Def. ^{ts} answer this cause continued untill next Court
ag. ^t		
Garrat Van Sweringen		

Tho: Bland & ux:	}	Itt being formerly ordered that Publicacon should passe in this cause fourteen dayes before this Court & come to hearing this Court. The Defend. ^{ts} Attorney informed the Court that he had some materiall Evidence to Examin. ^e , & therefore requested longer tyme before publicacon passe Whereupon itt is Ordered that publicacon passe in this cause att the next Provinciaall Court, & that this cause then come to hearing
ag. ^t		
Edw. ^d Dorsey & ux		

Elizabeth Beck Mary	}	Upon the hearing and debating the matter in question between the said parties in the presence of the Attorneys on both sides And the Complainants bill of Complaint and bill of Revivor and the Defendants answer and Complain ^{ts} Replicacon being openly read and heard and severall Wittnesses Examined and their deposicons duely published, and upon
Beck and Margaret		
Beck Comp. ^{lts}		
ag. ^t		
George Godfrey Def. ^t		

hearing and debateing thereupon, this Court thereupon and upon hearing the Will of Stephen Mountague in the bill of Complt mentioned and the deposiçons taken in this Cause was fully satisfied, that the said trust in the bill of Complaint mençoned was well and sufficiently proved to be to the use of the said Comp^{ts} and their heyres for Ever And that had not the said trust bin so effectually proved as itt was Yet it appeared to this Court that the said Defendant had noe right or Title to the said Land called Howland by the said Will there being noe Expositiō thereof made by the said Will and that the words [Generall heyre] cannot Create to the person soe named any estate of inheritance Doe therefore think fitt and soe order and Decree that the said Comp^{ts} and their heyres doe hold and enjoy the said Land and premisses called Howland to them and their heyres for Ever according to the trust aforesaid and that the Defendant his Tennants and assignes doth forthwith deliver unto the said Comp^{ts} or to their Said mother and gardian in trust for them or to such as shee or they shall appoint to receive the same the quiet and peaceable possession of the said Land called Howland ffree and cleere of all Incumbrances done by him or any clayming by from or under him or them and that the Said Defendant doe pay unto the said Comp^{ts} Costs of suite in this behalfe by them and the said Richard Beck their ffather layd out and Expended

p. 145

Att a Court of Chancery held att the Citty of Saint Maryes the sixteenth day of October in the fourth yeare of the Dominion of Charles &c Betweene Elizabeth Beck Mary Beck and Margret Beck infants y^e daughters and Coheyyres of Richard Beck deēd of Charles County being infants under the age of one and Twenty yeares by Elizabeth Beck their mother and gardian Comp^{ts} and George Godfrey of Charles County Defendant.

Present

The hono^{ble} Philip Calvert Esq.^r Chancellor
 The hono^{ble} Coff W^m Calvert Esq.^r Secretary
 The hono^{ble} Coff Vincent Lowe Esq.^r Surveyo.^r Gen.^{ll}
 The hono^{ble} Coff William Stevens Esq.^r

Upon the hearing and debateing the matter in question betweene the Said parties the present day in the presence of the Attornyes on both sides The scope of the Comp^{ts} bill appeared to bee that the said Richard Beck ffather of ye Comp^{ts} did in October Court in the yeare of our Lord God One thousand six hundred seaventy and

Liber P C seaven Exhibitt his bill of Comp^{lt} into this Court against the said Defendant Thereby setting forth That one Nicholas Emerson of Charles County deēd having married Elizabeth the Comp^{lt} Richards mother by whom he had a great estate in this Province and in Virginia which he sold and disposed off to his owne use without leaving anything in case hee dyed for the mainteyance of his Said wife or the Comp.^{lt} Richard and John Beck his brother deēd Hee the Said Nicholas afterwards minding to settle on them the said Elizabeth and the Comp.^{lt} Richard and his brother some Land for their future mainteynace about seaven yeares then since bought of one Thomas Allenson a pcell of Land in Charles County called Howland conteyning two hundred acres which hee did settle on Stephen Mountague by Deed duely executed but in trust for the said Elizabeth and her Children and then too be a Deed from Mountague to declare the Trust or bonds of Twenty thousand pounds of Tobacco penalty that Stephen Mountague should Convey the same to ffeoffees in trust for the said Elizabeth and the Comp.^{lts} father and his said Brother That before such deed made in Trust the said Nicholas Emerson dyed about six yeares then since and the Said Elizabeth soone after also dyed and the said Stephen Mountague as their Executo.^r or Adm.^r entred into and possessed himselfe of y^e said Emersons personall estate and all their writeings and perticularly of the said Deed of Trust or bonds aforesaid and shortly after dyed having first made his Will and the Defendant Executo.^r to whom he devised the said Land as the Comp^{lts} had then heard And the said Defendant ever since the death of the said Stephen Mountagne kept possession and received the Profitts thereof refusing to deliver the same to the Comp^{lt} Richard to whom the interest of the Trust aforesaid was wholly then come the said John being deced according to the Trust aforesaid And the Comp^{lt} Richard being newly come of age demanded the performance of the Trust aforesaid and to have the possession of the premisses delivered to him but the defendant did absolutely deny the same or that there was any trust aforesaid Therefore to discover the trust and to examine his Wittnesses in perpetuam rei memoriam they being very aged and infirme and to have y^e said Lands called Howland to the said Comp^{lts} Decreed and his heyres for ever according to the Said Trust and that y^e Said Richard might bee releived in y^e premisses according to Equity hee humbly craveing the ayd and assistance of this hon^{ble} Court and that pcesse of Subp.^a might bee therout awarded against the said Defendant to appeare in the said Court and answer the premisses The which being graunted and the said Defendant therewithall served hee appeared accordingly and putt in his answer to the Said bill and therein did sett forth That the said Nicholas Emerson haveing purchased the Said Land called Howland

and being considerably indebted to the said Stephen Mountague as hee beleives upon the Thirtieth of June one thousand six hundred sixty eight did passe bond of Twenty thousand pounds of Tobacco to the Said Stephen Mountague with Condiçōn to Convey the premisses to the said Stephen and pursueant to the said bond hee did the Twenty ninth day of July one thousand six hundred sixty nine convey the said Land to the said Stephen Mountagne in consideraçōn of ffive thousand pounds of tobacco in an absolute estate of inheritance in fee simple but denyed hee knew of any Trust nor doth he beleive there was any such Trust as in the bill is sett forth but the said Stephen was a purchaser for a Valueable consideraçōn And the Said Defendant further said that the Said Nicholas Emerson made a Will in writeing dated the Twentieth day of March one thousand six hundred & seaventy and made Elizabeth his wife Executrix and she possessed her selfe of his Estate and dyed intestate That the fourth of January one thousand six hundred seaventy one the said Comp^t Richard administred her estate and by Virtue thereof possessed himselfe of all their papers and if there were any such Deed or Declaraçōn of Trust or bonds as by the bill is sett forth the same came to the Said Richards hands That five yeares since the Said Stephen Mountague also dyed haveing made his Will and the Defendant his sole Ex.^r and Generall heyre and thereby desired that all such debts that hee owed should be truely paid and for the due and true p^rformance thereof of his intent will and meaneing was that his Land lying at Gingoomaxen being three hundred acres as also all his goods Cattle and Chattells Should bee appraised and disposed off for the payment of the said Stephens Debts and after the said debts were paid the remainder hee did give and bequeath to the said Defendant whom he named his Ex.^r & Gen.^{ll} heyre aforesaid and hee did give and bequeath to Mary Emerson the Daughter of Nicholas and Eliz.^a Emerson one hundred acres of Land lately surveyed by M.^r Richard Edelin for him att Mattawoman joyning upon a Tract of Land Called Howland the Said one hundred acres being taken upp in trust for her use As by the said Will may appeare And this Defendant beleived that since the said Stephen was soe conscionable to order payment of his debts and give the One hundred acres to Mary Emerson and was soe sensible of his Acçōns hee beleives in his Conscience had there beene any such Trust in the Land called Howland hee would as well have devised it to the Comp^t Richard as to y^e defendant being a meere stranger to him said hee proved the sayed Will and thereby possessed his personall estate and also y^e Land called Howland and is in possession thereof and absolutely denyed the said Trust or that the said Howland is subject to any such Trust but sayed hee kept possession thereof as his p^rper inheritance and to him bequeathed by the said

Liber P C Stephen Mountague as aforesaid and with the Generall Traverse he Concluded his answer To which answer of the said defendant the said Richard replyed but before any further proceedings were had in the said cause the said Richard Beck the Comp^{ts} ffather dyed leaving the Comp^{lt} the Infant his Daughter and Coheyre And thereupon they did in June Court one thousand six hundred seaventy Eight Exhibitted their bill of Revivor into the said Court against the said Defendant to have the said suite revived and stand in such plight and Condiçon as it did at the time of the death of the said Richard and did also pray to bee releived touching the said Trust and that pcesse of Supā might bee also awarded against the said Defendant to appeare and answere the said bill of Revivor w.^{ch} being likewise graunted and the said defendant therewith served hee appeared accordingly and did not oppose the Revivor of the said suite and the same stood Revived accordingly and the said parties being att issue severall Wittnesses were Examined in the said Cause and their deposiçons duely published according to the rules of this Court As by the said bill answere Replicaçon Examinaçon of Wittnesses and other pceedings had in this Cause all of them remaining of Record in the Secretaries office may more att large appeare. And the Said causes soe standing this day was appointed for a heareing thereof This Court thereupon and upon reading of the Will of the said Stephen Mountague and the deposiçons taken in this cause was fully satisfied that the said Trust was well and sufficiently proved to be to the use of the said Comp^{ts} and their heyres forever and that had not the said Trust beene soe effectually proved as it was upon the hearing and debateing the matter in question betweene the said parties in the presence of the attorneys on both sides and the Comp^{ts} bill of Complaint and bill of Revivor and the Defendants answere and Comp^{ts} Replicaçon being openly read and and heard and severall Wittnesses examined and their deposiçons duely published, and upon hearing and debateing thereupon this Court thereupon and upon hearing the Will of Stephen Mountague in the bill of Comp.^{lt} mençoned and the deposiçons taken this Cause was fully satisfied that the said Trust in the bill of Comp.^{lt} mençoned was well and sufficiently proved to be to the use of the said Comp^{ts} and their heyres for Ever And that had not the said trust bin so effectually proved as it was, Yet it appeared to this Court that the said defendant had noe right or title to the said Land called Howland by the said Will there being noe disposiçon thereof made by the said Will and that the word [Generall heyre] cannot create to the person soe named any estate of inheritance doe therefore thinke fitt and soe order and Decree that the said Comp^{ts} and their heyres doe hold and enjoy the said Land and premisses called Howland to them and theyre heyres for Ever according to the trust aforesaid and that the

defendant his Tennants and assignes doe forthwith deliver unto the Said Comp^{ts} or to their said mother and gardian or in trust for them or to such as shee or they shall appoint to receive the Same the quiet and peaceable possession of the Said Land called Howland, ffree and clere of all Incumbrances done by him or any claiming by from or under him or them and that the Said Defendant doe pay unto the said Comp^{ts} costs of suite in this behalfe by them and the Said Richard Beck their father laid out and Expended

John Larkin & als } Upon the hearing and debatinge the matters in p. 148
ag.^t }
Rob.^t Proctor & als } question betweene the said partys in the
Comp^{ts} bill and Defend.^{ts} answer being openly read and heard, p^sence of the attorneys on both sides. And
this Court was fully satisfied that it was the inten^{on} of Joseph
Moorely deceased by sale of the Lands in the bill men^{on}ed to pay
his debts, and to that end and purpose did give the same to his Ex.^r
Robert Procto.^r and John Gater, did therefore thinke fitt, and itt is
this present day to witt on Thursday the sixteenth of October in the
fourth year of the Dominion of Charles &c by the Hon^{ble} Philip
Calvert Chancello.^r Wifm Calvert Secretary Vincent Lowe and
Wifm Stevens and by the Power and authority of the high Court of
Chancery Ordered adjudged and Decreed that the said Robert Proctor
and John Gater shall and doe hould and enjoy the said severall
parcells of Land called Moorely Grove and Moorelys Lott with their
appurtenances (Except the said one hundred Acres sold to Roppier)
to them and their heyres for ever against all manner of persons
whatsoever and that they in considera^{on} thereof thereat or by some
other manner or wayes pay and satisfie the said Comp^{ts} and all
other the Credito.^{rs} of the said Joseph Moorely their Just and due
debts according to the will of the said Joseph Moorely aforesaid,
and that they may sell and dispose thereof att their will and pleasures
and for their soe doinge they are protected and impowered by this
p^sent Decree.

Att a Court of Chancery held att the Citty of Saint
Maryes the sixteenth day of Octo.^r Anno Domini One
thousand six hundred seaventy nine, in a Cause there
depending betweene John Larkin, Nathaniell Heathcott,
Murreine Devall, John Beamont Gabriel Parrot, Leonard
Coates and Martha his wife adm.^x of the goods and
Chattells of Wifm Russell deceased all of Ann Arundell
County as well for themselves as other the Creditors of
Joseph Moorely of the same County deceased Comp.^{ts}
against Robert Proctor and John Gater Ex.^{rs} of the last
Will and Testament of the said Joseph Moorely Defend.^{ts}

Liber P C

Present

The Hon^{ble} Philip Calvert Esq^r Chancello.^rThe Hon^{ble} Willm Calvert Esq^r SecretaryThe Hon^{ble} Vincent Lowe Esq.^r Surveyo.^r Gen.^{ll}The Hon^{ble} Willm Stevens

p. 149 This Cause standing in the paper of Causes to be heard this day upon bill and answer upon the hearing and debating of the matter in question between the said parties in the presence of Robert Carville attorney for the Comp^{ts} and George Barber attorney for the Defendants, the scope of the p^{ts} bill being that the said Joseph Moorely being in his life time seized in his Demeasne as of fee, or of some other good and sufficient estate of Inheritance of and in all that parcell of Land called Moorelys-Grove Lying in Ann-Arundell County on a branch of Petuxent River Beginning att a bounded Oake standing by the said branch side, and running north one hundred and five perches to a red oake marked with foure notches Bounded on the north by a line drawn north-north-East forty five perches to a marked pyne, then north forty-five pches to a marked oake, bounded on the north by line drawne north west seaventy five perches to a marked Pokiccory then north sixty perches to the branch Called the Cattle branch still Continueing the said course for the length of Three hundred and twenty perches to a branch that runs into a great Pocosin att the south end of a great Marsh then bounding on the said branch one hundred pches to a marked beach Tree then bounding on the first mentioned branch to the first bounded Tree Containeing and now laid out for Three hundred and twenty acres more or less, and alsoe of and in one other parcell of Land called Moorelys Lott lying about three miles in the woods on the west side of the south River Begining att a bounded white oake and runing south one hundred and ninty perches, then south south west sixty perches to a bounded white oake of a parcell of Land formerly laid for John Champ, then by the said Champs line, west and by north two hundred and ninety perches to a bounded red oake, then north one hundred and ninty perches bounded on the north by a line drawne north-north-east sixty perches, then East and by south to the first bounded Tree, Containeing and now laid out for ffoure hundred and fifty Acres held by severall Pattents under the great seale of this Province, both bearing date the Tenth day of July in the yeare of our Lord one Thousand six hundred seaventy one of the Manno.^r of Ann Arundell, under the yearly Rent of fiftene shillings and five pence sterling, Out of which Last mentioned Pattent for foure hundred and fifty acres, The said Joseph Moorely by his assignment under his hand and Seale and Indorsed on the backe of the said Pattent bearing date the second day of Novemb.^r anno Domini One thousand six hundred seaventy two,

Liber P C

did grant bargain sell and Confirme unto Wifflm Roppier Shipp- Carpenter, one hundred acres of Land out of the said Land called Moorelys Lott which hundred acres of Land Begineth att a bounded white oake, and runing south by Merreine Devalls Land sixty perches to a bounded oake in Devalls Line, thru west and by north three hundred and eighty pches to a marked oake, Then north-north-east sixty perches to another marked oake, then East and by south to the first bounded Tree, To have and to hold the said one hundred acres unto him the said Wifflm Roppier his heyres and assignes for ever, And the said Joseph Moorely being Soe seized and possessed and being indebted to your Orato:^r and severall other persons in Considerable Summes of Tobacco, that is to say to your Orato:^r John Larkaine by bill One thousand pounds of tobacco and by order of Court Sixteene hundred pounds of Tobacco, to your Orato:^r Nathaniell Heathcott by bill and accompt six hundred and one pounds of Tobacco, to your Orato:^r Marriage [sic] Devall by accompt foure hundred pounds of Tobacco to your Orato:^r John Beamont as adm:^r of Arthur Briscoe Two thousand pounds of tobacco to your Orato:^r Gabriel Parret by order of Court One hundred and fifty pounds of tobacco, to your Orato:^r Leonard Coates and his wife Adm:^r of the Said Wifflm Russell Thirteene hundred seaventy and one pounds of Tobacco, and alsoe Robert Practor of the same County by bill and accompt the sume of Nine thousand one hundred eighty and four pounds of tobacco in all the sume of sixteene thousand three hundred and six pounds of tobacco, Hee the Said Joseph Moorely having a good and puer inten^{on} to pay and satisfie all his Just and due Debts due by his last will and Testament in writeing under his hand and seale bearing date the fourth day of aprill in the yeare of our Lord One thousand six hundred seaventy two, Give and bequeath to the Defendants (whom he made full and whole Ex:^r of his said last will and Testament) all his Estate both reall and personall and thereout to satisfie and pay all his Just and due debts and shortly after dyed, After whose death the said Defendants entred into and possessed themselves of all the reall and personall estate of the said Joseph Moorely Subject to y^e payment of his debts as aforesaid and tooke upon them the burthen of the said Executo^rpp and proved the said will, The said Joseph Moorelys reall and personall estate being sufficient to pay his Just debts with an overplus and in p^ticular the severall debts due to the said plaintifles, But the Comp^{ts} applying themselves to the Defendants to have satisfaction for them said Debts they the said Defendants p^ttended they had not assetts in their hands of the personall estate of the said Deceased over and above the said Debt due to the said Defendant Proctor funerall charges and charges of proveing the will to satisfie the Comp^{ts} Debts And the said reall estate and Land aforesaid them devised as aforesaid and by will of the said Joseph Moorely made by a bill to the payment

p. 150

Liber PC of his debts could not be by them sold for the raising of Tobacco for paym.^t thereof by reason of some defect in the penning of the said Will, because the will did not say that he devised all his reall estate to the said Defendants and their heyres for ever, and for want of the words (and their heyres forever) the said Defend.^{ts} were (in strictness of Law) but Tennants for life of and to the premisses the Revercon expectant upon their deaths being discendible to the next heyres att Law of the said Joseph Moorely and in case of noe such heyres the same were (after their deaths) escheatable to his Right Hon^{ble} the Lord Prop^{ty} for want of such heyres: Whereas in truth it was apparent by words of the said will that the said reall and personall estate should goe to the paym.^t of his Debts which could noe otherwise bee thru by sale of the said Lands, And the sale would not be good unless they had an Inheritance in the same in fee simple and that the intencon of the said deceased Joseph Moorely was to have the same devised to his Ex^{rs} aforesaid in fee simple and yett the said Ex^{rs} were ready and willing to pay and satisfie the p^{ts} said Debts Provided he might by the decree of this Court be enabled to make a good sale of the premises therefore that the said Defend.^{ts} might by the Decree of this Court be impowered and enabled to sell and dispose of the Lands and premisses aforesaid to such person or persons as they shall thinke fitt and to enable them thereunto that the said Lands and premisses might be to them Decreed to hold to them and their heyres for ever against all persons whatsoever respect had to the title of the said Wifflm Roppier to one hundred acres of the said Land by the assignm.^t aforesaid and that out of the ffee thereof or otherwise if they shall thinke fitt to keep the same the p^{ts} may bee by them satisfied their Just debts as aforesaid and that the Compl^{ts} might bee releived in equity they humbly craved the ayd and assistance of this Hon^{ble} Court and that pcesse of Supcena might bee thereout awarded against the said Defendants to appeare in the said Court and Answere the premisses the w^{:ch} being granted and the said Defendant Robert Proctor therewith served hee appeared accordingly and answered the said bill And thereby did sett forth that the said Moorely was seized of the said Lands and made such assignment four hundred acres to Roppier as by the bill is sett forth, And being so seized and being indebted to divers persons and p^{ti}cularly to the Compl^{ts} and to the Defend.^t Proctor in the severall sumes in the bill mentioned and having an honest intencon to pay his debts did about the time in the bill men^{ti}oned make his Will in writing in such manner and forme as in the bill men^{ti}oned and shortly after dyed By Vertue of which will the Defendant Robert Proctor one of the Ex.^r entred into and possessed himselfe of all and singular the reall and personall estate of the said Joseph Moorely and p^{ti}cularly of the Lands in question and

solely proved the said will and Exhibitted an Inventory of the personall estate w:^{ch} amounted to Eight hundred pounds of Tobacco and this Defendant was allwayes ready and willing to satisfie and pay all the just debts of the said deēd soe farr as the same personall estate would amount unto, but he said that the said psonall Estate would not satisfie all the said Comp^{ts} Debts and the Defendants Debt alsoe, for he saith he paid for funerall Charges Eight hundred pounds of tobacco for Letters Testamentary six hundred pounds of tobacco, for the Charges of the Executorshipp and passing his accompt one thousand pounds of tobacco, and a Debt due to George Barber gent and paid by the defendant p bill foure hundred pounds of tobacco, which with the said p^{ts} debts and this Defend.^t Robert Proctors Debt in the bill men^oned amounts in the whole to the sume of fourteene thousand eight hundred and five pounds of tobacco, and the Defend^t sayed hee did know it to be true that the said Joseph Moorely did really intend by his said will to have given the said Land to this Defendant and the said John Gater and their heyres for ever in an absolute estate of Inheritance in fee simple and did declare himselfe by word of mouth to the same purpose, But the ignorance of the Clarke that drew the said will the words [and their heyres for ever] were left out and omitted and that this Defendant and the said John Gater were advised by their Councell that as the said will was penned they were but Tennants for life of and in the premisses for want of the words [and their heyres for ever] for in equity otherwise in trust for the paym.^t of the said Moorelys Debts and that in strictness of Lawe after their decease the Lands would descend to the next heyre att Lawe or for want of such heyre the same would escheatt to his Lordshipp, whereupon this defendant and the said John Gater being assured that the said Joseph Moorely dyed leaveing no heyres and soe the interest of the premisses would escheat to his Lordshipp after their decease, The said Defendant did apply himselfe to his Lordshipp by his humble peti^on that his Lordshipp would be pleased to grant yo.^r peticoⁿ and the said John Gater a Pattent of Confirma^on of and for the said Lands the better to enable them to performe the said trust and pay the said Testators debts, And thereupon his said Lordshipp upon reading of the said peti^on and Will of the said Joseph Moorely was very well satisfied in the intencon of the said Joseph Moorely to give the said Lands absolutely to the said Defendant and the said John Gater for the paym.^t of his debts and declared that his Lordshipp was willing to grant to them what right or title should devolve upon his Lordshipp for want of heyres of the said Joseph Moorely but sayed the securest way was for the Credito^{rs} to Exhibitt their bill in equity and to have the said Lands decreed to them and their heyres for ever, and the said defendant sayed soe as the Land and premisses might be absolutely Decreed to this Defendant and the said Jn:^o Gater and their heyres for ever

Liber P C hee was and should be ready and willing to satisfie and pay unto the Comp^{ts} and all other the Credito:^{rs} of the said Joseph Moorely their Just and due debts and soe concluded his answere as by the said bill and answere remaining of Record in the Secretarys office may more att large appeare, And the said Cause soe standing upon bill and answere this day ready for hearing upon the hearing and debating thereof and reading of the said Joseph Moorelys will and the Hon^{ble} the Chancello:^r being p^sent when the Said Defendant Exhibitted his peti^{con} to his Lord^{pp} the Lord Prop^{ty} and heard his Lord^{pp} declare his thoughts of the Trust for paym:^t of Debts and that his Lord^{pp} was ready and willing to grant what right hee should att anytime have therein, This Court was fully satisfied that it was the inten^{con} of the said Moorely by sale of the said Lands to pay his debts and to that end and purpose he gave the same to the said Executo:^{rs} Robert Proctor and John Gater did therefore thinke fitt and itt is this p^sent day that is to say on Thursday the sixteenth day of October in the fourth yeare of the Domⁿ of Charles &^c by the Hon^{ble} Philip Calvert Chancello:^r, Wiflm Calvert Secretary, Vincent Lowe, and Willm Stevens and by the power and authority of the High Court of Chancery Ordered adjudged and Decreed that the said Robert Proctor and John Gater shall and doe hould and enjoy the said severall parcells of Land called Moorely Grove and Moorleys Lott with their appurten^{nces} (Except the said One hundred acres sold to Roppier) to them and their heyres for ever against all manner of persons whatsoever and that they doe in Consideracon thereof thereat or by some other manner or wayes pay and satisfie the said Comp^{ts} and all other the Credito:^{rs} of the said Joseph Moorely their Just and due debts according to the will of the said Joseph Moorely aforesaid and that they may sell and dispose thereof att their will and pleasures and for their soe doing they are p^{ro}tected and im-
 p. 153 powered by this p^sent Decree.

Att a Court of Chancery held att the City of Saint Maryes the fourteenth day of Octob:^r in the fourth yeare of the Dominion of the R:^{ty} Hon^{ble} Charles Lord Baltimore &c anno^q domi 1679

Present

The hono. ^{ble}	{	Philip Calvert Esq Chancello: ^r
		Vincent Lowe Esq Surveyo: ^r Gen: ^{ll}
		Leiu ^{tt} Coll Henry Darnall Esq ^r
		Collon: ^{ll} Wiflm Stevens Esq ^r

Bland et ux	{	Whereas Thomas Bland and Damoras his wife
Contr		exhitted their bill of Comp. ^{tt} the thirteenth
Dorsey et ux & et al		day of June anno One thousand six hundred

seaventy Eight against Edward Dorsey and Sarah his wife and others in the high and hono^{ble} Court of Chancery of this Province, thereby setting forth, that the said Damoras one of the Comp.^{lts} was the Relict and Ex.^{or} of Nicholas Wyatt of Ann Arundell County deceased, that the Defend.^t Dorsey writt the Inventory amounting to One hundred forty five thousand foure hundred twenty Nine pounds of tobacco and incerted more goods then belonged to Wyatt that Damoras intrusted Dorsey with Wyatts Estate durence her Executo^r-shipp who in that time Converted much of the said Wyatts goods to his Owne use, That Dorsey Caused the will to be p^rnounced Voyd the ffifth day of September One thousand six hundred seaventy six Tooke out Letters of Adm.^{con} in his owne name and Exhibited an Inventory amounting unto Eighty thousand pounds of tobacco, and then disposed of much of the said Wyatts goods that the plaintiffs and Defendants the Tenth day of Aprill Anno One thousand six hundred seaventy seven Entred into Bonds of Arbitracō of three hundred thousand pounds of Tobacco to stand to the arbitracō of Collon.^l Taylor and Collon^l Burges to Arbitrate and devide the Estate of Wyatt between the p^{lts} and Defend.^{ts}, That the arbitratō^{rs} made their award and ordered that Bland and his wife should in Leiu of his wifes thirde possesse and enjoy the plantacōn whereon his wife Lived, That Bland should deliver Dorsey the remainder of the reall Estate, That Bland deliver unto Dorsey all and singular the goods Cattle houshold stuffe Servants bills bonds &c in kinde) that belonged to Wyatt att his death and Inventoryed by Damoras and what could not bee delivered in kinde should be made good to Dorsey out of that part awarded to Bland, That Dorsey should discount out of the personall Estate all Just debts and disbursem.^{ts} the p^{lts} overpaid for Wyatt, That the p^{lts} the Tenth day of June One thousand six hundred seventy seven performed the said award and Expected to have Enjoyed the said plantation awarded and have received the moyety Awarded to these Comp^{lts} the Tenth day of January following and have had his accompt allowed according to award, That Dorsey and his wife Entred upon the plantacōn awarded to the plaintiffs and there possessed themselves of the proper personall Estate of the said Thomas of the Value of One hundred pounds sterling with Two servants, That the bonds of Arbitracōn were left in the hands of the arbitrators in trust for the plaintiffs which they refused to deliver, That upon the plantacōn called the Quarter delivered Dorsey, was a Cropp of Corne and tobacco forty hoggsheads of Tobacco and forty barrells of Corne, and Eight hundred pounds of Tobacco and a Cropp of Corne upon the plantacōn Awarded to the plaintiffs, That Dorsey hath Cutt downe all the Timber from of the plantacōn Awarded to the plaintiffs and detaineth other provissions and wearing apparell to the Vallue of two thousand pounds of tobacco, And the Defend.^{ts}

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Liber P C refused to take the Estate att the rates appraised in the first Inventory, That Dorsey utterly refused to allow the said p^{lt} Bland anything and that he denied to allow his accompt expended for Wyatt, To which the Defendant Dorsey and his wife made answere, That Damoras pretended Wyatt made a will in which she was named Ex.^{ex} that she intermarried and the p^{lts} possessed the Estate and they intrusted the Defendant Edward in the management thereof, That the Defendant Edward and Comp^{lt} Thomas did submitt all differences to the award of the Chancello.^r who not onely as Arbitrator but as Judge Testamentary declared the Will Void and thereupon the said Dorsey had Lett.^{rs} of adm^{con} granted and Exhibited an Inventory amounting to Eighty thousand pounds of Tobacco, That the Defendant Edward was attorney to the Comp^{lts} and mannaged the Estate of Wyatt That the Chancello.^r settled all accompts that the Defend.^t Edward was ordered to pay unto the Comp^{lt} Thomas Tenn Thousand pounds of tobacco in Aprill and October One thousand six hundred seaventy six which this Defendant paid to this Comp.^{lt} Damoras for the use of the said Comp.^{lts}, and denyed hee Inhamned the first Inventory or put goods therein not belonging to Wyatts Estate, That these Defend^{ts} and the plaintifffes entered into bonds of arbitracon of three hundred thousand pounds of tobacco to stand to the award of Collonell Taylor and Collonell Burges to Decide all suites att Law Variances and debates whatsoever in reference to the reall and psonall Estate of Wyatt, That the arbitrators made such award as in the said bill, That the arbitrato^{rs} thought good to allowe the Defendants noe more then Eighteene thousand two hundred and Eleaven pounds of tobacco for their disbursments Expended for Wyatt y^e perticulars whereof are in a schedule to y^e answere annexed, That these Defendants allowe of Eighteene thousand two hundred and Eleaven pounds of tobacco and Eighty nine thousand foure hundred ninety five pounds of tobacco for goods delivered and for a servant named fletcher Eight hundred pounds of tobacco Amounting in all the sume of One hundred and Eight thousand five hundred and six pounds of Tobacco, which deducted out of One hundred ffifty foure thousand three hundred and two pounds of tobacco there remains forty six thousand five hundred ninety six pounds of tobacco which ought to bee paid to these Defend.^{ts} And denye these Comp.^{lts} have pformed the said Award but that forty six thousand five hundred ninety six pounds of tobacco is still due, And that the Comp^{lt} Bland Contrary to the award hath sued the bond of One hundred thousand pounds of tobacco entred into by the Defend.^t Edward whereas all matters in difference were settled by the last award, That the Defend.^{ts} have pformed the said award, and have paid the said Damoras for a moyety of y^e psonall estate, And also for her thirds in the reall Estate as by receipt under her hand and seale dated the Nineteenth of Jan^{ry} one thousand six

hundred seaventy Nine Yett the said Thomas detaines the Estate away soe as aforesd and sues these Defend:^{ts} That the Comp^l^{ts} desired these Defend:^{ts} to come and live them and that they pvided for them from June one thousand six hundred seaventy seven till January following, That the Defendants was by Award to pay the moyety of the Estate of the Complaynant Damoras, and that y^e said Damoras refused to lett the Defendants pay the same to the Comp^l^t Thomas, and that therefore this Defend.^t refused to pay the same, That the Comp.^l^t Damoras and this Defendant went to the house of Collonell Wiflm Burges her Agent and Trustee in Anno one thousand six hundred seaventy foure by the privy and consent of y^e Comp.^l^t Thomas settled all her reall and personall Estate upon Collon^l Burges as by Deed. That the arbitrato:^{rs} haveing respect to the said Deed Awarded these Defendants to pay y^e moyety awarded to the Comp^l^t Damoras to bee att her sole use and disposing, and that y^e Defendant Collon^l Burges did agree on her behalfe to sell him this Defendant the said Damoras her Right in the said Land & personall Estate for foure thousand pounds of tobacco p Annum dureing her life, and thirty thousand pounds of tobacco to whome should bequeath y^e same att her death and thereupon shee discharged these Defendants, That the Defendant gave her bond for sixty thousand pounds of tobacco to pay her foure thousand pounds of tobacco p Annum &c and denye they possessed themselves of any the psonall Estate of the said Thomas or carried away servants belonging to y^e said Thomas, But confesse y^e arbitrato:^{rs} delivered these Defend^{ts} the bonds of y^e p^l^{ts} of three hundred thousand pounds of tobacco which they have put in suite That these Defend^{ts} entered upon y^e plantacōn called Quarter and upon y^e servants stock and Cropp and that there was about forty barrells of Corne and about thirty hoggs heads of tobacco That these Defendants received the same and ought not to be accomptable for the same to the Comp^l^t Thomas, That These Defendants Cutt downe timber by ord.^r of the Comp^l^t Damoras, That they had possession delivered them by the Comp^l^t Damoras and have her release and ought not to be accomptable to y^e Comp^l^{ts}, And denye they detained any provisions or wearing apparrell belonging to the Comp^l^t Thomas, and that the Comp.^l^{ts} accompt exhibited before y^e Judge Testamentary was sett a side by y^e award of Collon^l Taylor and Collon^l Burges and deny they possessed themselves of any part of the psonall Estate more then what was delivered And confesse y^e Comp^l^t tendered bills to the said Defendants w:^{ch} were desperate & that these Defendants refused to allow y^e same, That y^e Comp^l^{ts} Wanting a Woman servant did Exchange a man servant named Booth to work for these Defendants soe long as the Woman servant should stay and work w:th y^e Comp^l^{ts}, and the said Woman servant belonging to the said Comp^l^t Thomas, the Comp.^l^t left with the said Comp^l^t Thomas his wife to

Liber P C cure her of a soare legg, To which answere of the Defendants there being much new matter these Comp^{ts} replied Specially and Say. That the Defendants by Sinister and fraudulent meanes caused the Comp^{lt} Damos to signe and seale severall papers the Contents of which she never heard read, and utterly denye the said receepts or releases Can any way by Law discharge the Defendants, that the Comp^{lt} Thomas & Def.^t Edward submitted all differences to the Chancellour who awarded the Defendant Edward to pay unto the Comp^{lt} Thomas Tenn thousand seven hundred forty six pounds of tobacco, That there was Nine thousand pounds of tobacco more due upon y^e accompt but by neglect of y^e Clerke was Omitted out of y^e accompt upon the Chencello:^{rs} award, and denye the said Defendants paid y^e said tenn thousand seven hundred forty six pounds of tobacco to these Comp^{ts} or either of them, That the Defendants inticed y^e Comp^{lt} Damoras to give discharge for y^e same, and denye her receipt, can discharge the said bond, That the Comp^{ts} exhibitted their Just accompt of Wyatts estate, after the will was Damnd and upon Dorsey his owne Excepcons hath allowed thirty eight thousand Eight hundred and Eighty pounds of tobacco and denye the arbitrato:^{rs} have allowed by their award Onely the sume in the schedule to the Defendants answere annexed. That these Comp^{ts} and Defend^{ts} entered into bonds of Three hundred thousand pounds of Tobacco to stand to the award of Collonell Taylor and Collonell Burges to decide y^e differences concerning the estate of Nicholas Wyatt and not otherwise and that they were not permitted to Exhiite any accompt before y^e Arbitrato:^{rs} nor that the

p. 157 said Comp^{ts} Just accompt exhibitted before the Chencello:^r is by y^e award sett a side, and denye that they deliver the servant named fletcher in Leiu of the Servant named Wallett, That y^e Defendants p^tended to bee discharged from the bond of arbitracōn upon y^e Chencello:^{rs} award of One hundred thousand pounds of tobacco by payment of the said sume of tenn thousand seven hundred forty and six pounds to the Comp^{lt} Damoras in aprill and November One thousand six hundred seaventy six That the Defendants needed not have put the same to arbitracōn in June one thousand six hundred seaventy seven and deny they have received any part of the said sume & that it is Lawfull to Comence suite for the same, and y^e same was never in dispute or was Submitted to arbitracōn, being a bond Certaine is not by Law Arbitrable and denye any receipt from the Comp^{lt} Damoras Can by Law discharge the same, Aver y^e Def.^{ts} came to Live att the Comp^{ts} house, without their privy or lycence, that the Defend.^{ts} seized upon y^e Comp^{ts} prop^r psonall estate, and maintenanced himself and family with the same that y^e Defendants have Cutt downe y^e Timber from of y^e plantacōn awarded burned up the fenceing destroyed the feilds of Corne & wheate there growing, & the Def.^{ts} with Two Children & foure servants were main-

tained out of the Comp^{ts} p^{ro}vision from June one thousand six hundred seaventy seven till January following, And denyes that he y^e Comp^{lt} Thomas detained anything belonging to the estate of Wyatt, And likewise denyes y^e writeing of the Comp^{lt} Damoras made to Colloneth Burgess before the Int.^r marriage can by Law or Equity impower the Defendant Burges to sell the plantacon Awarded or moyety of y^e p^{ro}sonall estate to the Defendant Dorsey Or that the Comp^{lt} Damoras hath power to bequeath or give away the same without the Consent of the Comp^{lt} Thomas, That the Cropp upon the Plantacon called the Quarter being forty hoggsheads of Tobacco and forty barrells of Corne growing in June One thousand six hundred seaventy seven at the time of the delivery By award belongs to this Comp^{lt} Thomas hee haveing built and fitted the houses found the sarvants Cloths & p^{ro}vision for that yeare, And denye that these Comp^{ts} ever approved of the first false Inventory & denye that it amounted to One hundred fifty foure thousand three hundred and two pounds of tobacco for that it amounted to but One hundred forty five thousand and Eight hundred pounds of Tobacco, That these Comp^{ts} did deliver bills to y^e Vallue of seven thousand two hundred twenty two pounds of tobacco belonging to Wyatts Estate, And deny they Exchange Booth for a woman servant but that the Defend.^{ts} Kept y^e said servant with y^e sarvant named Spize against y^e will of this Comp^{lt}, as also one other servant named fletcher for w^{ch} this Comp^{lt} brought a replevin & denye that they or either of them were ever made over to the Defendants, And the matter being att full and perfect Issue witnesses were Examined on both sides and the Said Cause was ripe for publicacon and to receive a Juditiall hearing as by the said recited bill answere, replicacon, examination of witnesses & other the proceedings thereupon all of them remayning upon Record in this hono.^{ble} Court more fully and att large the same doth and may appeare, And publicacon haveing passed in the said Cause accordingly and the said cause being sett downe for heareing this day (to witt) the ffourteenth day of Octob.^r in the fourth yeare of the Dominion of the R:^{tt} hono.^{ble} Charles Lord Baltemore &c annoq^{ue} Domⁱⁿⁱ one thousand six hundred seaventy Nine, Att which said day att the City of Saint Maryes the said Cause standeth at full & perfect Issue as aforesaid, and coming to a hearing before the hono.^{ble} Philip Calvert Esq^{ue} Chancello.^r, The hono.^{ble} Vincent Lowe Esq^{ue} Surveyo.^r gene.^{ll}, The hono.^{ble} Lieu.^{tt} Collon.^{ll} Henry Darnall Esq^{ue} and Collon.^{ll} Wifm Stevens Esq^{ue} in the p^{re}sence of both parties and their attorneys on both sides, that is to say Christopher Rousby Esq^{ue} attorney for the Comp^{ts}, and Robert Carville gent attorney for the Defendants, upon full debate of all the matters in Controversie by the attorneys of both sides and the reading the deposicons & prooves of both sides, This Court are all Clearly satisfied and soe doe adjudge and Decree, that the Deed made by the Comp^{lt} Damoras to the Defendant Burges before her inter-

Liber P C mariag^e with the Comp:^{lt} and while she was reputed Ex.^{ex} of the said Nicholas Wyatt deceased, bee voyd and null to all intents and purposes whatsoever And that whatsoever is awarded to the said Damoras in the award made by the Defendants Burges & Taylor before mentoned is and doth pperly belong and apptaine to the Comp.^{lt} Thomas And whereas the Comp.^{lt} Thomas hath alleadged to this Court hee delivered to the Defendant Edward much more then the first Inventory did amount to, and hath produced his accompt thereof to this Court, and craved allowance thereof and alsoe of severall other disbursments Expences and paym:^{ts} made the said Defendant Edward, and alsoe of severall Damages sustained by occasion of the said Edwards unjust and illegall Enttring in and upon the plantacon pperly belonging to the said Thomas by the said award & alsoe making use of & Converting to his owne use seav:^{ll} Cropps of Tobacco goods Marchandize servants and other things proply belonging to the said Thomas, also denying to pay him seav:^{ll} sumes of Tobacco and to deliver him possession of what was awarded to the said Thomas as well by the award of the hono^{ble} Chancello.^r as by the award of the Defendants Burges and Taylor The Court have thought fitt that Richard Hill one of the Defendants to this bill bee dismissed with Costs, and alsoe that Collon:^{ll} Wiffr Burges One other of the Defend.^{ts} be likewise dismissed, and that the Comp^{lt} Thomas bee possessed of all and singular the p^rmisses to the Comp^{lt} Damoras awarded, in the award of the Defendants Burges and Taylor, and that the Defendant Dorsey deliver the same to y^e Comp^{lt} Thomas and that the accompt of the Comp^{lt} Thomas and all other matters betweene the said Bland & Dorsey depending

p. 159 in this Court or att Common Law and stopt by the Injuncon of this Court bee & is hereby referred by this Court to the Hono^{ble} Lieu:^{tt} Collen.^{ll} Henry Darnall & Collon:^{ll} Henry Jowles to examine audite & state y^e same, and to make their report to this hono^{ble} Court of their pceedings therein att Saint Maryes y^e Tenth day of ffebruary next, And that they the said Referrees Collon.^{ll} Darnall and Collon^{ll} Jowles meet att such place & time to doe the same as to them shall seeme meete, they giving Convenient Notice to both parties when and where to attend them, and that Collon:^{ll} Darnall make report to this Court if the Defendant Burges ought to have Costs against the Comp.^{lt} upon his dismission, he being the Trustee of that Deed, that is by this Court vacated and had sold the estate pursuant to the said deed to the defendant Dorsey, and that the said Referrees have y^e Coppies of all proceedings and deposicōns in this case And that Commission Issue out of this Court to impower them accordingly.

December the Eighteenth One thousand six hundred seaventy Nine.

Commission then issued to Lieu:^t Collonell Henry Darnall and Collonell Henry Jowles according to the aforegoing Decretall Order.

Att a Court of Chancery held att the Citty of Saint Maryes the sixteenth day of Octob.^r one thousand six hundred seaventy Nine betweene John Haselwood and Ann his wife Ex:^s of the last will and Testament of John Avery Comp:^{ts} and Benjamin Granger Defendant.

Liber P C

Present

The hono:^{ble} Philip Calvert Esq^r Chancello.^r

The hono:^{ble} W^m Calvert Esq^r Secretary

The hono:^{ble} Coff Vincent Lowe Esq^r Surveyo.^r Gen.th

The hono:^{ble} Coff W^m Stevens Esq^r Councello.^{rs}

ffor as much as this Court was this day informed by Robert Carville attorney for the Comp^{lt} in this cause that upon the seaventeenth day of October in the yeare of our Lord One thousand six hundred seaventy Eight the Comp^{ts} obtained a Decree in this Cause against the said defendant for the sume of twenty foure pound Sterling and the sume of Three thousand three hundred fifty five pounds of tobacco for costs of suite But before y^e Comp.^{ts} could procure the said defend.^t to be served with a writt of Execu^{co}n of the said Decree or could bee apprehended upon p^{ce}esse of contempt for breath of the said Decree hee the said Defendant to the intent to defraud y^e Comp^{lt} of the fruite and benefitt of the said Decree did privately and fraudulently sell and Convey away all his Estate both reall and personall to One John Pollard of Dorchester County who was privy to and made acquainted with the said Decree before the Said purchase and he the Said Benj:^a Granger is since the Said Decree Runn away out of this Province into parts unknowne and a Coppy of the Execu^{co}n of the said Decree hath beene left with the said Defendants wife and there hath beene two non est inventus returned upon an Attachm.^t and attachm.^t with Proclama^{co}n issued out against y^e Defendant for breach of the said Decree all which appeared to this Court by the affidavit of the Comp^{lt} John Haselwood and the returne of y^e p^{ce}esse aforesaid to the great hinderance of the Comp^{ts} in the Execu^{co}n and p^{er}formance of the will of the said Deceased and therefore it was prayed since the said Benjamin was fled out of the Jurisdiction of this Court that a Sequestration may be awarded to the same Justices of the peace of the said County of Dorchester directed to Enter into Seize and sequester into their hands and possession the lands goods and Chattles of him the said Benjamin Granger which were in the Actuell possession of the said Benjamin Granger in his owne p^{er}per right at the time of making and pronouncing of y^e said Decree bee the same in the hands custody or possession of the said John Pollard or of any other person or persons whatsoever and the same soe seized and Entred upon and sequestred as aforesaid the same Lands goods & Chattels to the said

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Liber P C John Haslewood and his wife to deliver for the Satisfaction of their said Debt & Costs of suite to them Decreed as aforesaid This Court thereupon and Abhorring such Clandestine & fraudulent practices and being willing that the Decree of this Court should bee invyolably kept and performed and due obedience given thereunto doe order that a sequestration doe issue accordingly directed to Majo.^r Thomas Taylor and John Alford at the said County Court and for the better proceedings herein that they bee Armed with a Comission to Examine wittnesses to prove the vallue of the Lands and goods and Chattles that were in the possession of the said Benjamin Granger at the time of the pronouncing of the said Decree and in whose hands Custody or possession the same are now and by what right or title and when made and Executed and for what Consideraçon, And the said Lands goods and Chattles soe seized and sequestred as aforesaid that they doe deliver to the said Comp^{ts} for satisfaction of their debt and Cost Decreed as aforesaid accordingly.

Charles absolute Lord and Prop^{ry} of y^e Province of Maryland and Avalon Lord Baron of Baltemore &c To Majo.^r Thomas Taylor and John Alford Gentl Greeting Whereas by an order made before us in our Court of Chancery Betweene John Haselwood and Ann his wife Ex.^{ex} of y^e last will and Testament of John Avery Deceased and Benjamin Granger itt being alleadged that upon y^e seaventeenth day of October one thousand six hundred seaventy & Eight the Comp^{ts} obtained a Decree in this cause against y^e Defendant for y^e sume of twenty foure pounds sterling and the sume of Three thousand three hundred fifty and five pounds of tobacco of Costs of suite But before the Comp^{ts} could procure the said Defendants to be served with a writt of Execution of the said Decree or could be apprehended upon process of Contempt for breach of the said Decree he the said Defendant to the intent to defraud y^e Comp^{ts} of the fruite & benefitt of the said Decree did privately and fraudulently sell and Convey away all his estate both reall and personall to one John Pollard of Dorchester County who was privy to & made acquainted with the said Decree before the said purchase and he the said Benjamin Granger is since the said Decree runn away out of this Province unto parts unknowne and a Coppy of the Execuçon of the said Decree hath beene left with the said Defendants wife & there hath beene two non est inventus returned upon and attachm.^t and an attachment proclamaçon issued out against the Defendant for breach of the said Decree all which appeared to our said Court by the affidavitt of y^e said Comp^{ts} John Haselwood and the retourne of y^e processe aforesaid to the great hinderance of the Comp^{ts} in the Execuçon and performance of the will of the said John Avery, and therefore it was prayed that since the said Benjamin Granger

was fled out of the Jurisdiction of our said Court that our writt of Sequestration might awarded to some Justice of y^e peace of our said County of Dorchester directed to enter into seize and Sequester into their hands and possession of Lands goods and Chattles of him the said Benjamin Granger: in the actual possession of him the said Benjamin Granger in his owne pp right at the time of the making and pronouncing of the said Decree be the same in the hands and Custody or possession of the said John Pollard or of any other person or persons whatsoever and the same soe entred upon seized and sequestered as aforesd. the Same Lands goods and Chattles to the said John Haselwood and his wife to deliver for the satisfaction of their said debt and Cost of suite to them Decreed as aforesaid whereupon our said Court abhorring such Clandestine and fraudulent practices & being willing that the Decrees of our Said Court should be inviolably kept & pformed and due obedience given thereunto did order that our said writt of Sequestracon doe Issue accordingly directed to you Thomas Taylor and John Alford and for your better proceedings hereain that you Should be armed with our Comission to Examine wittnesses to prove the Value of y^e Lands and goods and Chattles that were in the possession of the said Benjamin Granger at the time of the pronouncing of the said Decree and in whose hands Custody or possession the same are now and by what right or title and when made and Executed and for what Consideration & the Lands goods & Chattles soe seized and sequestred as aforesaid that you doe deliver to the said Comp^{ts} for satisfaction of their debt and costs Decreed as aforesaid accordingly Now Know yee that wee trusting to your fidelities and prudent Circumspections have assigned you and by Vertue of these p^sents doe give unto you full power and authority to enter upon seize and taken into yo^r possession all the Lands goods Cattle and Chattells that were in the possession of him the said Benjamin Granger at the time of the making and pronouncing of the said Decree to witt upon the said seaventeenth day of October one thousand six hundred seaventy eight and the same sequestred the same to deliver to the possession of the said Comp^{ts} for satisfaction of their debt of Twenty foure pounds sterling and three thousand three hundred fifty and five pounds of Tobacco to them Decreed as aforesaid and for your better proceedings in the premisses wee doe hereby give unto you the full power and authority of enquireing as well by the Deposicons and Examinacons of Certaine wittnesses to be pduced and Examined before you as by any other manner or way by which the truth of the premisses may be the better found out and discovered as to you shall seeme meete what Lands goods Cattle and Chattles the said Benjamin Granger was seized or possessed of at the said day of pronouncing the Decree aforesaid and of what Value the said Lands goods and Chattles were of & when & to whom the same

Liber P C

Liber P C were sold and delivered and by what right and title and when Executed and in whose hands and possession the same are now And wee-doe give unto you full power and authority to Examine such witnesses as shall be produced unto you upon Certaine Interrogatories hereunto annexed And therefore wee Comānd you that at such Certaine dayes and times as to you shall seeme meete you cause to come and call before you the said witnesses and them then and there you Examine upon the Interrogatories aforesaid by him and her selfe Severally upon their severall corporall Oathes to be taken upon the holy Evangelists and their said Examinacons soe taken you reduce into writeing and when you have soe done you Certifie the same and your full and whole pceedings therein to us in our said Court of Chancery wherefore it shall then bee without delay under your hands and seales together with the Interrogatories aforesaid and this writt Wittnesse our selfe att our City of Saint Maryes the One and twentyeth day of Octob.^r in the fourth yeare of our Dom̃ & Over our said Province of Maryland and in the yeare of our Lord one thousand six hundred seaventy Nine.

Att a Court of Chancery held att the City of Saint Maryes the sixteenth day of October Anno Domini one thousand six hundred seaventy nine Between John Baker of the City of Saint Maryes in the sd Province of Maryland Innholder and Samuell Tovey of Kent County in the Province Gentl Adm.^r of all and singular the goods Chattells Rights and Creditts w.^{ch} were of Vincent Atchinson deceased & Guardian of Robert Atchinson an Infant under the age of Twenty one yeares and sonn & heyre of the said Vincent Atchinson, and Hannah his wife, and the said Robert Atchinson Defendants

Present

The hono. ^{ble} Philip Calvert Esq. ^r Chancello. ^r	} Councecoll. ^{rs}
The hono. ^{ble} W ^m Calvert Esq. ^r Secretary	
The hono. ^{ble} Collon ^{ll} Vincent Lowe Esq. ^r	
The hono. ^{ble} Collon ^{ll} W ^m Stevens Esq. ^r	

Whereas heretofore that is to say the second day of July in the fourth yeare of our Dominion over our said Province of Maryland in the yeare of our Lord God One thousand six hundred seaventy nine John Baker of our City of Saint Maryes in our said Province of Maryland Innholder Exhibited his Certaine bill of Complaint into our Court of Chancery against Samuell Tovey of Kent County in the said Province Gentl Adm.^r of all and singular the Goods Chattles rights and Creditts which were of Vincent Atchinson deceased and

Guardian of Robert Atchinson an Infant under the age of one and twenty yeares and sonne and heyre of Vincent Atchinson, and Hannah his wife and the said Robert Atchinson Defendants thereby setting forth That whereas the said Vincent Atchinson late of Kent County in the said Province Plant^r and Hannah his wife both deceased were in the Right of the said Hannah Seized in their demesne as of fee of and in a Tract of Land called Colchester & lying formerly in Talbott County and now in Kent County on the North Side of Chester River above the divideing, And on the Western side of a Creeke called Morgans Creeke Beginning at a marked Oake and runing for breadth north east up the Creeke foure hundred pches to another marked Oake Standing by the Creeke side, Bounding on the north by a Line drawne North west for length foure hundred perches, from the said Oake on the west by a Line drawne south west from the end of the north west Line foure hundred perches, On the South by a Line drawne south east from the end of the south west Line foure hundred perches to the first marked Oake, On the east by the said Creeke Containing by estimacon One thousand acres of land bee the same more or lesse, And being soe seized and possessed hee the said Vincent Atchinson, and Hannah his wife Did for the Consideracon of the sume of tenn thousand pounds of tobacco to them to bee well and truely paid or secured to bee paid by the said Complaynant, Upon the foure and twentieth day of November One thousand six hundred Seaventy five Contract and agree to sell assure, grant and convey by sufficient Deed and Conveyance in the Lawe Duely executed, and to bee by them the said Vincent Atchinson and Hannah his wife acknowledged in open Court in Kent County Court, The said Tract or pcell of land, with the appurtenances thereunto belonging before mentioned, To hold to the said Complaynant his heires and assigns forever, free and cleare of all incumbrances whatsoever had made or Done by them or either of them, And with warranty against them or either of them & their heires and all Clayming by from or under them or either of them, the rents and services hereafter to become due and payable to the Lord of the fee thereof onely excepted, In pursuance of wth Contract and agreem^t the said Comp^t Did pay unto the said Vincent Atchinson in his lifetime in part of Satisfaccon for the purchase of the said land, The sume of seaven thousand pounds of tobacco, and thereupon hee the said Vincent Atchinson did by his certaine Bond or obligation und^r his hand and seale bearing date the said foure and twentieth day of November aforesaid, Become bound unto the said Complayn^t in the sume of Twenty thousand pounds of tobacco with condicon thereunder written That the above bounden Vincent Atchinson his heires Executors or Adm^{rs} or either of them should well & truly acknowledge by good and firm Deeds and Conveyances

Liber P C in the Lawe in open Court in the County of Kent, The said land and p^rmisses to him the said John Baker the Comp^t at or before the last day of March then next And the said Comp^t beleives that the said Vincent and Hannah were allwaies ready and willing Dureing the life time of the said Hannah as alsoe the said said Vincent after her death Dureing the life time of the said Vincent, to seale Execute and acknowledge any sufficient or Legall Deed or Conveyance Deeds or Conveyances in the Lawe to the said Comp^t for the suremaking & estateing the said land and p^rmisses to and on the said Comp^t his heires & assignes forever, according to the contract and agreement aforesaid and the said Complaynant further shewed, that the said Hannah in her life time to show her willingness and readinesse to Joyne with the said Vincent her husband in the sale of the p^rmisses, Did by a Letter written by One John Bowles by the Ord^r and Direc^on of the said Hannah Atchinson and proved before the Hono^{ble} Phillip Calvert Esq^r Chancello^r of this province and sent to the said Complayn^t, and Dated the Second day of January writt in this manner, viz. M^r Baker my Love p^rsented unto you and your wife and Children, I doe understand by my husband that yo^u have bought a peece of land of my husband, but I Doe understand that yo^u have a greate bargaine, off him, but since it is to yo^u that I wish soe well it Does not trouble me but if it were to another I would never Consent, And she did often declare in the presence of the said John Bowles and one Robert Hood her consent to joyne with her said husband in the sale of the said land and p^rmisses, as by there Deposicons alsoe sworne before Our said Chancellour and thereunto annexed may appeare But before the said Comp^t had procured a Conveyance of the p^rmisses to bee Drawne for them the said Vincent and Hannah to seale and execute and to acknowledge according to the said agreement To witt about the tenth day of October 1676 the said Hannah dyed Leaveing Issue Robert her sonn, and heire, an Infant und^r the age of One and twenty yeares, in whome the estate in Lawe of in and to the said lands and premisses is now vested though the same in equity Doth proply belong to the said Complaynant And the said Comp^t further shewed unto us that not long after the death of the said Hannah The said Vincent Atchinson alsoe Departed this life, And the said Vincent Atchinson being indebted to seaverall p^rsons in his life time, and in p^rticular unto samuell Tovey of the same Island of Kent, gentl, the said samuell as a Credito^r to the said Atchinson obtained Adm^{on} of the said Atchinsons estate and tooke the said Robert Atchinson sonn and heire to the said Vincent and Hannah being an infant as aforesaid unto his custody and posession, and was and shee is Guardian to the said Infant Robert, The said Comp^t findeing the said Vincent and Hannah dead and the said Complaynant haveing noe Conveyance for the said land according to agreement, and

being desirous to reimburse himselfe the tobacco hee haid paid the said Vincent in his life time for the purchase thereof, the said Comp^l the three & twentieth day of June 1677 sued Out of Our provincially Court a writt of debt against the said sam^l Tovey as Adm^r of the said Vincent Atchinson deceased for the said bond, for making the said Comp^l a sufficient Deed or Conveyance of the same and acknowledging thereof as aforesaid, the said Complayn^t soe farr proceeded in the said Ac^{on} against the said Adm^r that att Our Prov^{all} Court held att our Citty of st Maryes the tenth day of Aprill 1678 The said Comp^l recovered Judgment against the estate of the said Vincent in the hands of the said samuell Remaying for the penalty of the said bond being the sume of Twenty Thousand pounds of tobacco, and five hundred fifty and two pounds of tobacco costs of suite, and the said Comp^l sued Out a writt of fieri fac^s out of the same Court to the same sheriffe of Kent County directed, to Leave the Said debt and Costs of the goods and Chattells of the said Vincent in the hands of the said samuell, But the said Sheriffe Returned That any of the goods and Chattells of the said Vincent in his Baliwick he could not finde whereupon to make the Debt and Costs aforesaid, Whereupon the said Comp^l not being likely to reape the fruits of the said Judgment and execu^{on} without hee could Discov^r what goods and Chattells of the said Vincents came to the hands of the said Adm^r, and how hee had Disposed thereof, The said Comp^l therefore applied himselfe to the Comissary gen^l, and procured the said sam^l to be Cited to rend^r an Accompt of his adm^{con} of the Estate of the said Vincent, With w^{ch} hee being served, in obedeince thereunto the said samuell the Eight and twentieth day of June last past Did appeare before the said Comissary at his house att the Citty of S^t Marys in p^{son} and then & there Did exhibit an accompt of his said adm^{on} to the said Comissary or Judge for probate of wills and granting of adm^{ons}, to w^{ch} said accompt of the said sam^l the said Comp^l did exhibit Excepcions before the Said Judge or Comissary, showing for the reasons thereof that the said Adm^r had paid seaverall Debts of the said Deceased that were Debts of a Lower nature then the said Comp^ls being Due by bond, and seaverall that hee had charged in his said accompt was onely Due by bill and acco^t, The said Judge the first day of July last past hearing the said accompt and excepcions thereunto was of opinion and soe gave Judgment that the Comp^ls said Excepc^{ons} ag^t the said acco^t ought not bee allowed because they were against reall Debts for a valluable confederac^{on} and the said Comp^ls being onely a bond for p^{formance} of Covenants and that the Comp^l Ought to recover the said Land of the heire, And the Three thousand pounds of tobacco of the purchase money in the Complayn^t hands remaining Ought to bee Assetts for the satisfaccon of Creditors and for

Liber P C that the said Comp^{lt} is ready and willing to satisfie and pay the said Remaind^r of the said purchase money being three thousand pounds of tobacco, and the said Complayn^t being remedlesse in the p^rmisses, at and by the strict rules of the Comon Law, but is onely and properly releiveable in equity in this high and hono^{ble} Court where cases in the like nature are onely and properly releiveable, And therefore that the said Robert Atchinson and Robert Atchinson and Samuell Tovey may true answeere make to all & singular the p^rmisses, and that the said land may bee Decreed to the Said Comp^t and his heires

p. 166 for Ever against the said Robert Atchinson and his heires forever according to the true intent and meaning of the said bargain and agreement, and that processe of subpoena might thereout bee Awarded against the said Defend^{ts} to appeare and to Answer make of all & singular the p^rmisses, the w^{ch} being granted, and Wee being informed that the said sam^{ll} was soe weake, and the said Robert a tender infant That they could not travell to our said Court to answeere the said bill without greate Danger of theire healthe, Wee therefore comisserateing theire condicon, and Reposeing especiall trust and confidence in the fidelity of James Ringold of Kent County gentl.^l Did give him free power & authority dilligently to examine the said Samuell and Robert upon y^e matter of the said bill (haveing first examined the said Robert if hee Did elect and chuse the said samuell to bee his Guardian to Answer for him, With power to the said James, the Said Samuell is chosen by the said Robert to bee his Guardian to admitt, and the said samuell and Robert to the matter of the said bill upon the Oath of the said Sam^{ll} upon the holy Evangelists, that hee should dilligently examine, and the answeere of the said Sam^{ll} and Robert by the said Samuell his Guardian that hee should receive, and reduce the same into writeing, and the same send to us in our Court of Chancery without delay, And now here at this day to witt the Seaventh day of October in the fourth yeare of our Dominion Over our said province Annoq Dominij 1679 The said James Ringold made returne of our said Comission to him Directed to us in our Court of Chancery close sealed up, The said Comission, the said Comission being indorsed that the execucon thereof appeareth in a Certaine answeere thereunto annexed, And under the said answeere to the said Comission annexed the said James Ringold Certifieth that the Eight and twentieth day of September 1679 psonally appeared before him the Defendent Robert Atchinson and chose the Defend^t Sam^{ll} Tovey to bee his Guardian to Defend that suite, and the said Defend^t Sam^{ll} for himselfe, and as Guardian to the said Robert being Duely Sworne upon the holy Evangelists before him, The said Defend^{ts} answeere and say that they beleived it to bee true that the said Vincent Atchinson in the bill named and Hanah his wife in Right of the said Hannah were in there life times Seized in there Demeasne as of ffee of and in

all that tract of land called Colchester, Lyeing in Talbott County formerly now in Kent County Containing by estimacon One thousand acres, and that being soe seized it may be true that they the said Vincent and Hannah Did for the consideracon of the sume of tenn thousand pounds of tobacco to them to be paid by the Complaynant about the time in the bill for that purpose menconed, contract and agree to sell and Convey y^e said land to the Complaynant his heires and assignes forever, in Such manner & forme as in the said bill is sett forth, and it may bee true the s^d Comp.^{lt} did pay unto the said Vincent Atchinson Some part of the consideracon for the said Land, But whether hee paid the sume of Seaven thousand pounds Tobacco in part of the said tenn thousand pounds. Or how much hee really and bonafide paid the Defendants Say they doe not Know, And they doe also beleive it to bee true That the said Vincent Atchinson Did enter into such bond of such penalty and with Such condicon thereunder Written as in the said bill is sett forth, and they further say they beleive it to bee true that the said Vincent and Hannah Dureing the life time of the said Hannah were always ready and willing to have conveyed and settled the said Land by any Lawfull Deeds to him the said John Baker and his heires for ever according to the said Contract and agreement aforesaid as the said John Baker should reasonably have devised and that the said Hannah to shew her readinesse and willingness to Joyne with her said husband Vincent in the sale of the premisses Did send such lett.^r to the Complaynant as in the bill is sett forth, and that before y^e Comp.^{lt} Did procure the Conveyance of the p^rmisses to bee sealed and executed by the said Vincent and Hannah she the said Hannah Dyed Leaveing this Defend.^t Rob^t her sonn and heire, to whome after her Death the estate in Lawe of and into the p^rmisses Descended and Came, and is now in this Defend^t Robert vested as the Defend^{ts} are advised But Whether the comp.^{lt} by the Contract and agreem^t aforesaid hath any Equitable or other right to the same These Def^{ts} are wholly ignorant of the Lawe in these cases, but referre themselves herein to the Judgment of this honourable Court, And these Defend^{ts} Say That the said Vincent Atchinson shortly after the said Hannah Dyed alsoe haveing been allwayes in his life time Ready to have p^rformed the Condi^con of the said bond, and to have made what estate hee could Either by p^rcureing his Wife whilst alive to Joyne in the said Deed of sale or by any other manner of wayes Or meanes Whatsoever as by Lawe or equity hee was capable of for the Suremakeing the p^rmisses to the Complaynant and his heires for ever, And this Defend^t Sam^l Saith that true it is the said Vincent Atchinson did dye indebted to seavⁿ p^rsons and p^rticularly to the Deft in seaverall sumes of tobacco, and thereupon hee this Defend^t did as principall Creditor of the said

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Liber P C

Liber P C Vincent, The relict of the said Vincent renouncing her right of Adm^{con} procure Letters of adm^{con} of the goods and Chattells of the said Vincent to bee to him comitted, by the Hon^{ble} the Judge for probate of Wills and granting of adm^{cons} and thereby possessed himselfe of soe much of the said Vincents personall estate as hee could get unto his custody in trust for payment of Debts, the remaind^r if any bee to the use of the orphants of the said Vincent and Hannah, and hee did alsoe as Guardian of the said Robert take into his custody the said Robert and his estate, left him as heire to the said Hannah as aforesaid, and this Defend^t Did out of the said psonall Estate detainee Soe much thereof as would Satisfie his Owne Debt being by bill and Accompt foure thousand seaven hundred and

p. 168 Eleaven pounds of tobacco And paid seaverall Other Debts, and was willing to have paid all the debts of the said Vincents soe farr as the said estate would amount to satisfie, and thereof rendered a just accompt to the said Judge Whereupon the said Comp^{lt} wanting a Conveyance of the premisses, and it may bee imagineing to Re-emburse himselfe what hee had paid the said Vincent in his life time in part of the said purchase, Did take out a Writt of Capias ag^t this Defend^t Sam^{ll} as adm^r of the said Vincent upon the said bond of twenty thousand pounds of tobacco condiconed as aforesaid, intending to lay the whole penalty of the said bond upon the personall estate of the said Vincent and soe have Debarred this Defend^t and all other the Credit^{ts} as much as in him lay from having or receiving any manner of satisfaccōn for their Just and due debts, and obtained Judgment thereupon by Default for twenty thousand pounds of tobacco besides costs of suite, and it may bee true the said Complaynant Did sue out a Writt of fieri facias thereupon to the sheriffe of Kent County Directed to leavye the said debt and costs upon the personall estate of the said Vincent in this Defend^{ts} hands, and that the sheriffe might make full returne as in the bill And afterwards to witt upon The eight and twentieth day of June now last past the said Comp^{lt} did Alsoe Cite this Defendant to the said Judge to render an Accompt of his adm^{con} where this Defendant appeared accordingly at the house of the Said Comissary at st Maryes and Did then and there Exhibitt a just and true accompt of his adm^{con} To w^{ch} this Defend^{ts} said Accompt the said Complaynant put in excepcons To the substance and effect in the said bill menconed, and the said Judge hearing the said Excepcōns and the said accompt and the allegacōns of the procurators of both sides was of opinion and gave Judgment that the Complayn^{ts} said exceptions Ought not to bee allowed because they were against reall debts for a Valluable consideracon, and the Complaynants supposed debt was onely a bond for pformance of Covenants, or to that effect as by the said Judgès ord^r may more fully appeare, and soe left the Complaynant to his Remedy elsewhere to recover the possession of the land from the heire

Liber P C

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at Lawe, being the Defend^t Robert, and Did as this Def^t beleives Declare that the purchase money remaining in the Compl^{ts} hands Ought to bee assetts for the payment of Creditors, but whether there rests onely three thousand pounds of tobacco Or how much These Defend^{ts} know not, And these Defendants Doe humbly submit themselves to the Decree and Judgment of this hono^{ble} Court Whether the said John Baker shall or may have the said lands Decreed to him and his heires for according to the contract and agreement aforesaid against this Defendant Robert and his heires for ever, And if this Court shall Soe adjudge These Defendants hope that the said Compl^t shall bee at the whole Sole charge in p^rcureing the said Decree and estate to him and his heires for ever as all purchasors are usually att, and that these Defend^{ts} not beare the charges and costs of this Suite they haveing never done any act Tending to the breach of the Said bond, nor the said Hannah nor Vincent in their life times, but this Defend^t Samuell is Credibly informed, that after the said Contract and agreement made as aforesaid, the said Compl^t had time sufficient before the Death of the said Hannah to have p^rcured a Conveyance of the premisses to have been sealed and executed & acknowledged in Kent County Court, but the doeing thereof was neglected and delayed by y^e Complayn^t or his Attorney Whome hee intrusted to see the same done and take acknowledgem^t as aforesaid, for that they are informed the said Hannah lived seaven months after the said contract and agreement, And therefore these Defend^{ts} hope the Complayn^t shall beare the expenses of his owne laches and defect and the whole charges of this Suite and not these Defend^{ts} or the estate of the said Vincent bee chargeable with any part of it And this Defend^t Sam^l saith that hee is and always was ready and Willing to Doe any lawfull Act or acts shall bee by the Judgment of this Court Decreed him to doe and not otherwise for the better and more sure makeing the p^rmisses to the Compl^t and his heires so as hee may herein bee protected and Defended by the said Decree against the said heire also when hee shall come of age, And soe as the tobacco that shall bona fide and really upon a Just and true acco^t remaine unpaid of the purchase considera^on of and for the lands and premisses bee paid unto this Defend^t towards payment of the said Vincents debts and maintenance of his Children if any Overplus remayne, Of w^{ch} said accompt these Defend^{ts} humbly Desire the considera^on and allowance of this Court before they passe their Decree herein, if this Court shall thinke fitt to make any such Decree, And soe as this Defendant samuell may bee allowed his just and due charges and expences by him expended in the ac^on at Lawe upon the said bond, and before the hono^{ble} the Judge for probate of Wills, and granting adm^{cons}, and upon the Citacon aforesaid, and for answering the excep^ons aforesaid, and

Liber P C soe as these Defend^{ts} may bee allowed by this Court alsoe theire charges of this suite, all w^{ch} must otherwise necessarily bee charged upon the personall estate of the said Vincent, to the greate p^rjudice of the Creditors and Orphants of the said Vincent, w^{ch} these Defend^{ts} humbly Conceave will bee very unreasonable since neither the said Vincent nor Hannah nor the said Defendants was in any fault but the Comp^{lt} Onely by his Laches and delayes aforesaid in not getting the Conveyance drawne and executed as aforesaid whose prop^r businesse it was, And soe with the generall Traverse they conclude theire answer

And now here at this day to Witt the Sixteenth day of Octo^r in the yeare aforesaid the p^{lt} and Defend^t being willing to goe to hearing upon bill and answer, and this p^rsent day being appointed for hearing the s^d Cause before Our Deare Uncle Philip Calvert Esq^r our Chancellour of our Said Province our Deare Cousin William Calvert Esq^r our Secretary of our Said Province Vincent Lowe and William steevens Esq^{rs} Justices of our said Court in the presence of both parties, That is to say Robert Ridgely attorney for the Comp^{lt} and Robert Carvile Attorney for the Defend^{ts}, Upon reading the bill and answer and fully hearing the parties on both sides, and the Deposicons of seaverall Witnesses y^t were examined in the said Cause this Court was fully Satisfied that the comp^{lt} was a purchasor of the aforesaid parcell of land for a Valluable considera^on, of the said Vincent and Hannah, and that the said Hannah had fully declared her consent to the said sale, and would have joyned therein with her Said husband Vincent if not by Death p^rvented, and that there bee noe assetts in the hands of the said Defend^t Samuell the Administrat^r to Re-imburse the Complayn^t what hee had paid towards the said purchase, And Doe therefore Ord^r and Decree that the said land called Colchester bee by this p^rsent Decree settled assured and Decreed to the said Complayn^t and his heres forever in an absolute estate of Inheritance in fee simple according to the condicon of the said bond of twenty thousand pounds of tobacco, And that the said Comp^{lt} his heires and assignes Doe hold and enjoy the same accordingly to him and his heires and assignes for ever against the said Robert Atchinson Sonne and heire of the said Vincent and Hannah and his heires, and against the said Vincent and Hannah and all Claymeing by from or under him them or any of them free and cleare of all and all manner of incumbrances Done by them or any of them, and that the said Defend^t Samuell as Guardian of the said Robert Doe forthwith deliver unto the Comp^{lt} or his Attorney or assignes, the Quiett and peaceable possession of the said Land and premisses, and make seale and Execute such assurance and Conveyance of the premisses to him the said Complaynant at the p^per costs and charges of the said Complaynant

as by him the said Complayn^t shall bee reasonably devised or required, and that the said Defend^t Robert when hee shall come to the age of one and twenty yeares shall upon reasonable Demand and at the cost of the said Comp^{lt}, by such Deed or Deeds confirme the Sale of the premisses to him^r the said Complaynant & his heires and assignes for ever as shall bee reasonably Devised and required as aforesaid, And that the said Complaynant Doe forthwith pay unto the Said Defend^t Samuell the Adm^r the sume of three thousand pounds of Tobacco the remaind^r of the purchase unpaid as aforesaid to bee assets in his hands for payment of debts, and alsoe the Sume of three thousand five hundred and Eighteen pounds of tobacco for costs and charges by the Defend^{ts} expended in this suite, and att Lawe, and before the hono^{ble} the Judge for probate of Wills, by this Court taxed, And the said Samuell for such his Actings and Doeings in the premisses is hereby forever protected and indemnified against all manner of p^{rs}ons whatsoever

John Browning ag: ^t Andrew Peterson & Geo: Oldfield	}	This cause is continued untill next Court
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Vincent Lowe Esq: ^r ag: ^t John Quigley	}	The Defend ^{ts} haveing filed their Answeres to the Comp. ^{lts} bills, these three causes are continued untill next Court
Marke Cordea ag: ^t John Quigley	}	
Luke Barber ag: ^t John Blomfield	}	

Humphrey Jones ag: ^t John Coode	}	Ordered that publication passe in these two causes, one Month after the end of this Court
John Quigley ag: ^t Garrat VanSweringen	}	

Stephen Burle Ex ^r Robert Burle ag: ^t Tho: Marsh	}	This action abates, the Def. ^t being dead
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Liber P C	Hugh Merriken	}	These two causes are agreed
	ag. ^t		
	James Rigby	}	
	Geo: Parker		
	ag. ^t		
	James Chilcott	}	

Symon Irons	}	Ordered by the Court, by & with the consent of the Attorneys on both sides, that a Comission issue forth of this Court to Co ^l Joseph Bridge of the Isle of White County in the Colony of Virginia to examine all such Evidences that reside in Virginia according to the Interrogatories to be sent with the Comission, that can testifie in this cause as well on the behalfe of the Comp. ^{lt} as on the behalfe of the Defend. ^t
ag. ^t		
Richard Royston	}	

Henry Stocket &	}	This cause is continued untill next Court
Ja: Stabely Ad. ^r		
Nath. ^l Styles		
ag. ^t		
James Mills Ex. ^r		
Sam. ^l Boston	}	

Jonathan Sibrey	}	Charles Boteler appears for y ^e Def. ^t
ag. ^t		
Edw. ^d Pynn	}	

Robert Mason	}	The p. ^{lt} haveing filed a bill against the Defend. ^{ts} this cause is continued
ag. ^t		
In. ^o Penroy &		
Tho: Penroy	}	

APPENDIX

APPENDIX

FIRST CHARTER OF SAINT MARY'S CITY, 1668

Cæcilius Absolute Lord & Proprietary of Maryland & Avalon
 Lord Baltemore etc To all Our officers and Inhabitants in Maryland
 and to all others whom these prsts may concerne and Sendeth
 Greeting know yee that of our Speciall Grace certeyne Knowledge
 & meere moçōn Wee have granted & as much as in us lyeth do
 Grant to our well beloved Inhabitants within y^e Citty called or
 Knowne by y^e name of S.^t Mary's Citty in the County of S.^t
 Mary's in y^e sd Province of Maryland & y^e Circuits & p^recints and
 priviledged places of y^e s.^d Citty not exceeding y^e Space of one
 English mile Square that they y^e said Inhabitants w^hin y^e sd Citty,
 Circuitts & p^recincts aforesd shalbe an Incorporated Citty of one
 Major one pson learned in y^e law by y^e name of a Recorder & Six
 Aldermen & Tenn persons as Comon Councellmen inhabiteing within
 y^e sd Citty for ev^rmore And that y^e sd Major Recorder Aldermen
 & Comon Councellmen shalbe a body inCorporate & one Comūnity
 for ev^r in right & name & shall be by y^e name of Major Recorder
 Aldermen & Comon Councell of the Citty of S.^t Maryes Citty able
 & Capable att Law to be sued & to sue And to act execute & doe
 as a body in Corporate & to have succession fo^rever, And to y^t end
 to have a Comon Seale and that Philip Calvert Esq^r one of y^e
 Inhabitants of y^e sd Citty shall for y^e prst be & be named Mayor
 of y^e sd Citty for y^e ensuing yeare & John Morecroft Recorder
 of y^e same & William Calvert Esq^r Jerome White Esq^r Daniel
 Jenifer Garrett Vansweringen Mark Cordea & Thomas Cosden
 Inhabitants alsoe of the sd Citty shalbe Aldermen thereof as long
 as they shall well behave themselves therein haveing first taken y^e
 oath of Fidelity as alsoe y^e oath appoynted by us to be taken by
 y^e Major Aldermen & Recorder of y^e Citty of S^t Mary's Citty
 And to be Administered unto them Respectively by our Lieutenant
 of y^e sd pvince for y^e tyme being or by such pson or psons as
 wee or our heires or our Leiutenn^t of the sd pvince for y^e time
 being shall from tyme to tyme authorize & appoint to Administer
 y^e same And y^e sd Major Recorder & Aldermen or y^e Major part
 of y^e shall elect & chuse Tenn other of the most Sufficient In-
 habitants of y^e sd Citty to be of y^e Comon Councell thereof for
 soe long tyme as they shall well behave themselves therein And
 that for y^e future y^e sd Major Recorder Aldermen & Comon
 Councell shall assemble in some convenient place within y^e sd Citty
 on or upon y^e Third day of November ev^ry yeare & shall then &

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there Elect & chuse by y^e Major vote of such of them as shall be then psnt one other of the Aldermen of y^e sd City for y^e Tyme being to be Major of the said City for the ensueing yeare And upon decease or removeall of the sd Major of the said City for the Tyme being or upon any decease or deceases Removeall or Removealls of the sd Recorder or Aldermen or one of them or within one month after any such respective decease or diseases removeall or removealls y^e Residue of the said Aldermen together & with y^e sd Mayor if he shall be liveing or y^e Major pte of them shall at a sett Tyme by them to be appointed within the sd City & pcincts elect & nominate Some other pson or psons to be Major Recorder Alderman or Aldermen of y^e sd City in y^e place & places of such pson or psons soe deceased or removed respectively as y^e case shall require So as y^e sd Major soe to be Elected & nominated be att y^e tyme of such Elecon & nominacon Actually one of y^e Aldermen of y^e sd City & so as y^e sd Recorder soe to be elected & nominated be a pson learned in y^e Lawes & soe as y^e sd Alderman or Aldermen soe to be elected & nominated be actually at y^e Tyme of such elecon & nominacon of the Comon Councill of the said City the sd Major Recorder Alderman or Aldermen soe to be Elected & nominated first takeing y^e sev^rall & respective Oathes herein before menconed to be appointed to be by y^m sev^rally & respectively taken as aforesd And shall likewise then fill up by y^e like Elecon out of from & Among y^e Inhabitants of y^e sd City y^d full number of Tenn psons to be Comon Councillmen y^e sd psons hereby appointed & named or hereafter to be Elected & nominated Major Recorder or Aldermen to be Justices of the Peace within y^e sd City Precincts & Territories having first taken y^e usuall Oath appointed to be taken by y^e Justices of peace And the said Major Recorder & Aldermen hereby named & appointed or hereafter to be Elected or nominated or any three of them whereof the sd

p. 647 Major or Recorder for y^e tyme being shall be one shall have within the precincts of the sd City full power & authority to make Constables & other necessary officers & to rule order & Gov^rne the Inhabitants thereof as Justices of peace are authorized to doe & shall have power to execute all y^e Lawes Ordinances & Statutes in that behalfe made as fully & amply as if they were authorized thereunto by expresse Comission & named therein Willing and Comanding that noe other of our Justices of Peace or Quorum within our sd County or pvince doe att any tyme hereafter take upon them or any of them to execute y^e office of a Justice of Peace within the sd City thereof notwithstanding any Comission att Large authoriseing them thereunto And further wee will & Grant unto y^e sd Major Recorder Aldermen & Comon Councill of y^e sd City for y^e tyme being full power & authority to make Order & appoint such by lawes & Ordinances Among themselves for y^e

Regulacon & good Gov^{nm}^t of Trade & other Matters exigences & things within y^e sd p^{nc}incts as to y^m or y^e Major p^{te} of them shall seeme meete so as they be Consonant to Reason & not contrary but as neere as Conveniently may be agreeable to y^e Lawes Statutes & Customes of England & of y^e sd p^{nc}ince of Maryland w^h sd By Lawes & Ordinances being ratified & Confirmed by our selfe or our heires or our Lieutenant of y^e sd Province for y^e time being shall be observed kept & performed by all mann^r of p^{so}ns trading & liveing within y^e sd Citty under such reasonable paines penaltys & forfeitures as shall be imposed by y^e said Major Recorder Aldermen & Comon Councell or the Major part of them then assembled from tyme to tyme the said paynes, penaltys & forfeitures to be raised by distresse and Sale of the Goods of such person soe offending and to be employed for the publike benefitt of the said Citty att their discrecon w^h sd By Lawes and Orders shall be alsoe repealeable or lyable to be mittigated or altered att y^e Will of our selfe our heires or our Leiutenn^t Respectively And further wee Grant & give Licence to y^e Major Recorder Aldermen & comon Councell of y^e sd Citty for y^e tyme being & their Successors forev^r to have and to hold one m^rkett weekly within y^e sd Citty on ev^{ry} Saturday in y^e sd weeke in some Convenient place to be by y^m appointed within y^e p^{nc}incts of y^e sd Citty And alsoe one faire yearly to be kept on y^e three & twentieth day of ffebruary in ev^{ry} yeare for y^e Sale & vending of all mann^r of goods Cattle m^rchandize & all other Commodities w^{soev}^r & to sett such a reasonable Toll upon such goods Cattle m^rchandize & other Commodities as shalbe sold therein respectively as shalbe thought fitt by our selfe our heires or our Leiutenn^t of our sd p^{nc}ince for y^e tyme being And shall & may alsoe have & hold a Court of Pypowdry during y^e sd ffaire for the det^rminacon of all Controv^sies & quarrells w^h may happen therein according to y^e usuall Course in England in y^e like Cases And wee Grant unto y^m all p^{fi}ts & p^{qu}isitte due incident & belonging to y^e sd Markett ffaire & Court of Pypowder Provided allwaies y^t if y^e sd Major or Recorder so chosen or to be chosen from tyme to tyme as aforesd or either or any of y^m shall att any tyme hereafter misbehave him or themselves in y^e Execucon of their or any of their sev^{al}l & respective office or offices in y^e Judgm^t of ourselfe or our heires or our Leiutenn^t of the sd p^{nc}ince for y^e time being And y^t wee or our heires or our Leiutenn^t of y^e sd p^{nc}ince for y^e tyme being shall direct & signify under our his their or any of their hands & Seale hands & Seales hands to y^e Aldermen of y^e sd Citty or any two of them that it is our his or their pleasure that such Major or Recorder Respectively soe misbehaveing them or y^mselves shalbe removed or disposed from ye execucon of his or their respective office or offices respectively that then & imediately after such significacon y^e Authority & power hereby Given to such

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Prov. Ct. Major or Recorder respectively shall cease & be voyd And wee
 Proc. hereby authorize & appoynt that another Major or Recorder re-
 Liber F F spectively be within one month next after elected & chosen in mann^r
 No. 3 aforesd as if y^e sd Major or Recorder soe misbehaveing him or
 p. 649 themselves & so as us our heires or Leiutenn.^t or any of us directed
 or appointed to be removed were actually dead Given att S^t Maries
 under our greate Seale of y^e sd pvince y^e Third day of November
 in the Seaven & thirtyeth yeare of our Dominion ov^r Maryland
 annoq̃ domini One thousand six hundred sixty eight Wittness
 our Leiutenant of y^e said Province Charles Calvert

The fforme of y^e Oath to be taken & to be given & Administered
 unto y^e Major Recorder & Aldermen of y^e Citty of S^t Marys in y^e
 County of S.^t Mary's in Maryland

You shall sweare y^t you wilbe true & faithfull unto y^e R^t honble
 Cæcilius Lord Baltemore Lord and Proprietary of this pvince of
 Maryland & y^e Islands thereunto belonging & to his heires Lords &
 Proprietarys of y^e same & to his Leiutenn^t or cheife Gov^rno^r here
 for y^e tyme being & shall not att any tyme discov^r anything to y^e
 pjudice of his sd Lop or of his heire or to his or their Gov^rnm.^t
 as itt is established in this pvince of Maryland you shall well &
 truely execute y^e office of Major within y^e Citty of S.^t Mary's Citty
 & y^e pcincts & fibties thereof according to y^e best of your Skill
 knowledge & power

So help you God &c^o

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